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CONCILIA
MAGNAE BRITANNIAE

ET

HIBERNIAE,

AB

ANNO MDXLVI.

AD

ANNUM MDCCXVII.

VOLUMEN QUARTUM.



LONDINI,

Sumptibus { R. GOSLING, in vico, dicto Fleet-Street;
F. GYLES, in vico, dicto Holborn;
T. WOODWARD, intra duas Templi portas, Fleet-Street; et
C. DAVIS, in vico, dicto Pater-Noster-Row.

MDCCXXXVII.

CONCILLIA

MAGNAE BRITANNIAE

IN DE

ITUTORUM VOLUNTIS OCCASU

HIBET



ANNO MDCLXIV

ANNO MDCCXXVI

VOLUNTIS

LONDINI

RECENSIT

I N D E X

TITULORUM VOLUMINIS QUARTI.

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CONCILIA MAGNAE BRITANNIAE, ET HIBERNIAE.

Papae Rom.
PAUL. III. 13.

Archiepisc. Cant.
THO. CRANMER. 15.

Anno Christi.
1546.

Reg. Angliae.
HENRIC. VIII. 13.

Synodus provincialis Cantuar.

PER breve regium ad quintum Novembris in ecclesia sancti Pauli London. convocata, per aliud breve dat. quinto die

Novembris ad quintum decimum Januarii prorogabatur. Ex registro Cranmer, fol. ii.

A proclamation for the abolishing of English books after the death of Ann Askew, set forth by the king, anno 1546, the eighth day of July. Ex vol. 2. Fox, p. 587. edit. 1641.

THE king's most excellent majesty understanding how, under the pretence of expounding and declaring the truth of God's scripture, divers lewd and evil disposed persons have taken upon them to utter and sow abroad, by books imprinted in the English tongue, sundry pernicious and detestable errors and heresies, not only contrary to the laws of this realm, but also repugnant to the true sence of God's law and his word; by reason whereof, certain men of late, to the destruction of their own bodies and souls, and to the evil example of others, have attempted arrogantly and maliciously to impugn the truth, and therewith trouble the sober quiet and godly religion united and established under the king's majesty in this his realm; his highness minding to foresee the dangers that might ensue of the said books, is enforced to use this his general prohibition, commandment and proclamation as followeth.

First, that from henceforth no man, woman or person, of what estate, condition or degree soever he or they be, shall after the last day of August next ensuing receive, have, take or keep in his, or their possessions, the text of the new testament of Tindall's or Coverdale's translation in English, nor any other, than is permitted by

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the act of parliament, made in the session of the parliament, holden at Westminster in the four and thirtieth and five and thirtieth years of his majesty's most noble reign; nor after the said day shall receive, have, take or keep in his or their possession any manner of books printed or written in the English tongue, which be or shall be set forth in the names of Frith, Tindall, Wickliffe, Joy, Roy, Basil, Bale, Barnes, Coverdale, Turner, Tracy, or by any of them, or any other book or books containing matter contrary to the said act, made in the year 34 or 35; but shall before the last day of August next coming, deliver the same English book or books to his master in that household, if he be a servant, or dwell under any other; and the master or ruler of the house, and such other as dwell at large, shall deliver all such books of these sorts, as they have or shall come to their hands, delivered as afore or otherwise, to the mayor, bayliff or chief constable of the town where they dwell, to be by them delivered over openly within fourty days next following, after the said delivery, to the sheriff of the shire, or to the bishop's chancellor or commissarie of the same diocese, to the intent the said bishop, chancellor, commissary, and sheriff, and every of them may cause them incontinently to be openly

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2 *A Proclamation for the abolishing of ENGLISH BOOKS.*

ly burned; which thing the king's majesties pleasure is, that every of them shall see executed in most effectual sort, and of their doings thereof make certificate to the king's majesties most honourable council before the first day of October next coming.

And to the intent that no man shall mistrust any danger of such penal statutes as be passed in this behalf, for the keeping of the said books, the king's majesty is most graciously contented by this proclamation to pardon that offence to the said time appointed by this proclamation, for the delivery of the said books; and commandeth that no bishop, chancellor, commissary, mayor, bailiff, sheriff or constable shall be curious to mark who bringeth forth such books, but only order and burn them openly, as is in this proclamation ordered. And if any man, after the last day of August next coming, shall have any of the said books in his keeping, or be proved or convinced by sufficient witness before four of the king's most honourable council, to have hidden them or used them, or any copy of any of them, or any part of them,

whereby it should appear, that he willingly hath offended the true meaning of this proclamation, the same shall not only suffer imprisonment and punishment of his body at the king's majestys will and pleasure, but also shall make such fine and ransom to his highness for the same, as by his majesty or four of his graces said council shall be determined, &c. Finally his majesty straitly chargeth and commandeth, that no person or persons of what estate, degree, or condition soever he or they be, from the day of this proclamation presume to bring any manner of English book, concerning any matter of christian religion, printed in the parts beyond the seas, into this realm, to sell, give, or distribute any English book printed in outward parts, or the copy of any such book, or any part thereof to any person dwelling within this his graces realm, or any other his majesties dominions, unless the same shall be specially licensed so to do, by his highness's expressed grant, to be obtained in writing for the same, upon the pains before limited, and there withall to incur his majesties extream indignation.

Papae Rom.
PAUL. III. 12.

Archiepisc. Cant.
THO. CRANMER. 15.

Anno Christi.
1546.

Reg. Angliae.
EDWARD. VI. 1.

Commissio regia archiepiscopo Cantuar. ad exercendam suam jurisdictionem. Ex reg. Cranmer, fol. 28.b.

EDWARDUS sextus Dei gratia Angliae, Franciae et Hiberniae rex, fidei defensor, ac in terra ecclesiae Anglicanae et Hiberniae supremum caput; reverendissimo in Christo patri ac praedilecto consiliario nostro Thomae Cantuariensi archiepiscopo, salutem. Quandoquidem omnis jurisdictionis auctoritas atque etiam jurisdictio omnimoda, tam illa quae ecclesiastica dicitur, quam secularis, a regia potestate velut a supremo capite, ac omnium magistratuum infra regnum nostrum fonte et scaturigine primitus emanaverit; sane illos qui jurisdictione hujusmodi antehac, non nisi precario fungebantur, beneficium hujusmodi sit eis ex liberalitate regiae indultum gratis animis agnoscere, idque regiae munificentiae solummodo acceptum referre, eique quoties ejus majestati videbitur cedere convenit: nos tuis in hac parte supplicationibus humilibus inclinati, et nostrorum subditorum commodis consulere cupientes, tibi vices nostras, sub modo et forma inferius descriptis, committendas fore, teque licentiaendum esse decrevimus. Ad ordinandos igitur quosunque infra dioecesim tuam Cantuarien. ubicunque oriundos, quos moribus et litteratura, praevio diligenti et rigoroso examine, idoneos fore compereris, ac ad omnes etiam sacros et presbyteratus ordines promovend. praesentatosque ad beneficia ecclesiastica quaecunque infra dioecesim tuam Cantuarien. constituta, si ad curam beneficiis hujusmodi imminentem sustinend. habiles reperti fuerint et idonei, et non aliter admittend. ac in et de eisdem instituend. et investiend. ac etiam, si res ita exigat, destituend. beneficiaque ecclesiastica quaecunque, ad tuam collationem

five dispositionem spectantia et pertinentia, personis idoneis conferend. atque approband. testamenta et ultimas voluntates, nec non administrationes committendas bonorum quorumcunque subditorum nostrorum ab intestato decedentium bona, jura, five credita in diversis dioecesibus five jurisdictionibus aut alibi, juxta consuetudinem curiae praerogativae Cantuarien. vitae et mortis suarum tempore habentium calculum et ratiocinium, et alia in ea parte expediend. testamentaque et administrationes quorumcunque tuae dioeceseos ut prius approband. et committend. causasque lites et negotia coram te aut coram tuis deputatis pendentia indecisas, nec non alias five alia quascunque five quaecunque ad forum ecclesiasticum pertinentia, ad te aut tuos deputatos five deputandos per viam querelae aut appellationis devolvendae five deducendae, quae citra legum nostrarum et statutorum regni nostri offensionem coram te aut tuis deputatis agitari, aut ad tuam five alicujus commissariorum per te, vigore hujus commissionis nostrae deputandorum, cognitione devolvi aut deduci valeant et possint, examinandi et decidendi, caeteraque omnia et singula, in praemissis seu circa ea necessaria seu quomodolibet opportuna, praeter et ultra ea quae tibi ex sacris literis divinitus commissae esse dinoscuntur, vice, nomine et auctoritate nostris exequendi, tibi de cujus sana doctrina, conscientiae puritate, vitaeque et morum integritate, ac in rebus gerendis fide et industria plurimum confidimus, vices nostras cum potestate alium vel alios commissarium vel commissarios ad praemissa vel eorum aliqua surrogandi et substituendi, eosdemque ad placitum revo-

revocandi, tenore praesentium committimus, ac liberam facultatem concedimus, teque licentiamus per praesentes ad nostrum beneplacitum duntaxat duraturas, cum cujusslibet congruae et ecclesiasticae coertionis potestate, quacunque inhibitione ante dationem praesentium emanata in aliquo non obstante; tuam conscientiam coram Deo strictissime onerantes, et ut summo omnium judici aliquando rationem reddere, et coram nobis tuo sub periculo corporali respondere intendis, te admonentes, ut interim tuum officium juxta evangelii normam pie et sancte exercere studeas, et nequem ullo tempore unquam ad sacros ordines promoveas, vel ad curam animarum gerendam, quovis modo admittas, nisi eos duntaxat quos et tanti et tam venerabilis officii functionem, vitae et morum inte-

gritas, certissimis testimoniis approbata, literarum scientia et aliae qualitates requisitae ad hoc habiles et idoneos clare et luculenter ostenderint et declaraverint: nam ut maxime compertum cognitumque habemus, morum omnium et maxime christianae religionis corruptelam a malis pastoribus in populum emanasse; sic et veram Christi religionem, vitaeque et morum emendationem a bonis pastoribus iterum delectis et assumptis in integrum restitutum iri haud dubie speramus. In cujus rei testimonium praesentes literas nostras inde fieri, et sigilli nostri, quo ad causas ecclesiasticas utimur, appensione jussimus communiri. Dat septimo die mensis Februarii, anno Domini 1546. et regni nostri anno primo.

Papae Rom.
PAUL. III. 13.

Archiepisc. Cant.
THO. CRANMER. 15.

Anno Christi.
1546.

Reg. Angliae.
EDWARD. VI. I.

Synodus provincialis Eboracensis

PER commissionem archiepiscopi, auctoritate brevis regis Henrici VIII. fulcitum,

a vicesimo quarto die Novembris ad decimum quintum diem Januarii prorogata fuit.

Papae Rom.
PAUL. III. 15.

Archiepisc. Cant.
THO. CRANMER. 15.

Anno Christi.
1547.

Reg. Angliae.
EDWARD. VI. I.

Injunctions given by the most excellent prince Edward the sixth, by the grace of God, king of England, France and Ireland, defender of the faith, and in earth under Christ, of the church of England and Ireland, the supreme head. To all and singular his loving subjects, as well of the clergy as of the laity.

THE king's most royal majesty, by the advice of his most dear uncle the duke of Somerset, lord protector of all his realms, dominions and subjects, and governor of his most royal person, and residue of his most honourable council, intending the advancement of the true honor of almighty God, the suppression of idolatry and superstition throughout all his realms and dominions, and to plant true religion, to the extirpation of all hypocrisie, enormities and abuses, as to his duty appertaineth; doth minister unto his loving subjects these godly injunctions hereafter following; whereof part were given unto them heretofore, by the authority of his most dear beloved father, king Henry the eighth, of most famous memory, and part are now ministred and given by his majesty: all which injunctions his highness willeth and commandeth his said loving subjects, by his supreme authority, obediently to receive, and truly to observe and keep, every man in their offices, degrees and states, as they will avoid his displeasure, and the pains in the same injunctions herereafter expressed.

1. The first is, that all deans, archdeacons, parsons, vicars, and other ecclesiastical persons, shall faithfully keep and observe, and, as far as in them may lie, shall cause to be kept and observed of other, all and singular laws and statutes, made as well for the abolishing and extirpation of the bishop of Rome, his pretended

and usurped power and jurisdiction, as for the establishment and confirmation of the king's authority, jurisdiction, and supremacy of the church of England and Ireland. And furthermore, all ecclesiastical persons, having cure of souls, shall to the uttermost of their wit, knowledge and learning, purely, sincerely, and without any colour or dissimulation, declare, manifest and open four times every year at the least, in their sermons and other collations, that the bishop of Rome's usurped power and jurisdiction, having no establishment nor ground by the laws of God, was of most just causes taken away and abolished; and that therefore no manner of obedience or subjection, within his realms and dominions, is due unto him. And that the king's power, within his realms and dominions, is the highest power under God, to whom all men, within the same realms and dominions, by God's laws, owe most loyalty and obedience, afore and above all other powers and potentates in earth.

Besides this, to the intent that all superstition and hypocrisie crept into divers mens hearts, may vanish away; they shall not set forth or extol any images, relicks, or miracles, for any superstition or lucre, nor allure the people by any inticements to the pilgrimage of any saint or image: but reproving the same, they shall teach, that all goodness, health and grace, ought to be both asked and looked for only of God, as
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of the very author and giver of the same, and of none other.

Item, That they the persons above rehearsed, shall make or cause to be made in their churches, and every other cure they have, one sermon every quarter of the year at the least, wherein they shall purely and sincerely declare the word of God: and in the same, exhort their hearers to the works of faith, mercy and charity, specially prescribed and commanded in scripture; and that works devised by mens phantasies, besides scripture, as wandering to pilgrimages, offering of money, candles, or tapers, or relicks, or images, or kissing and licking of the same, praying upon beads, or such like superstition, have not only no promise of reward in scripture for doing of them; but contrariwise, great threats, and maledictions of God, for that they be things tending to idolatry and superstition, which of all other offences God almighty doth most detest and abhor, for that the same diminish most his honor and glory.

Item, That such images as they know in any of their cures to be or to have been abused with pilgrimage or offering of any thing made thereunto, or shall be hereafter censured unto, they (and none other private persons) shall for the avoiding of that most detestable offence of idolatry, forthwith take down, or cause to be taken down and destroy the same; and shall suffer from henceforth no torches nor candles, tapers or images of wax to be set afore any image or picture, but only two lights upon the high altar, before the sacrament, which for the signification that Christ is the very true light of the world, they shall suffer to remain still: admonishing their parishioners, that images serve for no other purpose but to be a remembrance, whereby men may be admonished of the holy lives and conversation of them that the said images do represent: which images if they do abuse for any other intent, they commit idolatry in the same, to the great danger of their souls.

Item, That every holy day throughout the year, when they have no sermon, they shall immediately after the gospel, openly and plainly recite to their parishioners in the pulpit, the "Pater noster," the "credo," and the ten commandments in English, to the intent the people may learn the same by heart: exhorting all parents and householders to teach their children and servants the same, as they are bound by the law of God, and in conscience to do.

Item, That they shall charge fathers and mothers, masters and governors, to bestow their children and servants, even from their childhood either to learning or to some honest exercise, occupation or husbandry: exhorting and counselling, and by all the ways and means they may, as well in their sermons and collations, as otherwise, perswading their said fathers and mothers, masters and other governors, diligently to provide and foresee that the youth be in no manner or wise brought up in idleness, lest at any time afterward for lack of some craft, occupation, or other honest means to live by, they be driven to fall to begging, stealing, or some other un-

thriftness: forasmuch as we may daily see, through sloth and idleness, divers valiant men fall, some to begging, and some to theft and murder; which after brought to calamity and misery, do blame their parents, friends and governors, which suffered them to be brought up so idly in their youth, where if they had been well brought up in learning, some good occupation or craft, they would (being rulers of their own household) have profited as well themselves, as divers other persons, to the great commodity and ornament of the commonwealth.

Also, That the said parsons, vicars and other curates shall diligently provide, that the sacraments be duly and reverently ministered in their parishes. And if at any time it happen them in any of the cases expressed in the statutes of this realm, or of special license given by the king's majesty, to be absent from their benefices, they shall leave their cure not to a rude and unlearned person, but to an honest, well learned and expert curate, that can by his ability teach the rude and unlearned of their pure wholsom doctrine, and reduce them to the right way that do erre; which will also execute these injunctions, and do their duty otherwise, as they are bound to do in every behalf, and accordingly may and will profit their cure no less with good example of living, than with the declaration of the word of God, or else their lack and default shall be imputed unto them, who shall straitly answer for the same if they do otherwise. And always let them see, that neither they nor their curates do seek more their own profit, promotion or advantage, than the profit of the souls they have under their cure, or the glory of God.

Also, That they shall provide within three months next after this visitation, one book of the whole bible, of the largest volume in English. And within one twelve months next after the said visitation, the "paraphrasis" of Erasmus also in English upon the gospels, and the same set up in some convenient place within the said church that they have cure of, whereas their parishioners may most commodiously resort unto the same, and read the same. The charges of which books shall be ratably born between the parson and proprietary, and parishioners aforesaid, that is to say, the one half by the parson or proprietary, and the other half by the parishioners. And they shall discourage no man (authorised and licensed thereto) from the reading any part of the bible, either in Latin or in English; but shall rather comfort and exhort every person to read the same, as the very lively word of God, and the special food of man's soul, that all christian persons are bound to embrace, believe and follow, if they look to be saved: whereby they may the better know their duties to God, to their sovereign lord the king, and their neighbor; ever gently and charitably exhorting them, and in his majesties name, straightly charging and commanding them, that in the reading thereof, no man to reason or contend but quietly to hear the reader.

Also, The said ecclesiastical persons shall in no wise,

wife, at any unlawful time, nor for any other cause than for their honest necessity, haunt or resort to any taverns or alehouses. And after their dinner or supper, they shall not give themselves to drinking or riot, spending their time idly, by day or by night, at dice, cards, or tables, playing, or any other unlawful game: but at all times (as they shall have leisure) they shall hear and read somewhat of holy scripture, or shall occupy themselves with some other honest exercise; and that they always do the things which appertain to honesty, with endeavor to profit the commonweal; having always in mind, that they ought to excel all other in purity of life, and should be an example to the people to live well and christianly.

Item, That they shall in confessions every lent examine every person that cometh to confession to them, whether they can recite the articles of their faith, the "Pater noster," and the ten commandments in English, and hear them say the same particularly; wherein if they be not perfect, they shall declare then, that every christian person ought to know the said things before they should receive the blessed sacrament of the altar, and admonish them to learn the said necessary things more perfectly, or else they ought not to presume to come to God's board, without a perfect knowledge and will to observe the same: and if they do, it is to the great peril of their souls, and also to the worldly rebuke, that they might incur hereafter by the same.

Also, That they shall admit no man to preach within any their cures, but such as shall appear unto them to be sufficiently licensed thereunto, by the king's majesty, the lord protector's grace, the archbishop of Canterbury, the archbishop of York in his province, or the bishop of the diocess; and such as shall be so licensed, they shall gladly receive to declare the word of God, without any resistance or contradiction.

Also, If they have heretofore declared to their parishioners any thing to the extolling or setting forth of pilgrimages, relicks, or images, or lighting of candles, kissing, kneeling, decking of the same images, or any such superstition, they shall now openly, before the same, recant, and reprove the same: shewing them (as the truth is) that they did the same upon no ground of scripture, but were led and seduced by a common error and abuse, crept into the church through the sufferance and avarice of such as felt profit by the same.

Also, If they do, or shall know any man within their parish or elsewhere, that is a letter of the word of God to be read in English, or sincerely preached, or of the execution of these the king's majesties injunctions, or a fautor of the bishop of Rome's pretended power, now by the laws of this realm justly rejected, extirpated, and taken away utterly, they shall detect and present the same to the king or his council, or to the justice of peace next adjoining.

Also, That the parson, vicar, or curate, and parishioners of every parish within this realm, shall, in their churches and chappels, keep one book or register, wherein they shall write the day

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and year of every wedding, christning and burial, made within their parish for their time, and so every man succeeding them likewise; and therein shall write every persons name that shall be so wedded, christned or buried. And for the safe keeping of the same book, the parish shall be bound to provide of their common charges, one sure coffer, with two locks and keys, whereof the one to remain with the parson, vicar, or curate, and the other with the wardens of every parish-church or chappel, wherein the said book shall be laid up: which book they shall every sunday take forth, and in the presence of the said wardens, or one of them, write and record in the same, all the weddings, christnings and burials made the whole week before; and that done, to lay up the book in the said coffer, as afore. And for every time that the same shall be omitted, the party that shall be in the fault thereof, shall forfeit to the said church, iii. s. iiiii. d. to be employed to the poor mens box of that parish.

Furthermore, because the goods of the church are called the goods of the poor, and at these days nothing is less seen than the poor to be sustained with the same; all parsons, vicars, pensionaries, prebendaries, and other beneficed men within this deanery, not being resident upon their benefices, which may dispend yearly xxl. or above, either within this deanery, or elsewhere, shall distribute hereafter among their poor parishioners, or other inhabitants there, in the presence of the church-wardens, or some other honest men of the parish, the xl. part of the fruits and revenues of their said benefices, lest they be worthily noted of ingratitude, which reserving so many parts to themselves, cannot vouchsafe to impart the xl. portion thereof among the poor people of that parish, that is so fruitful and profitable unto them.

And to the intent that learned men may hereafter spring the more, for the execution of the premises, every parson, vicar, clerk, or beneficed man within this deanery, having yearly to dispend in benefices and other promotions of the church an c. l. shall give competent exhibition to one scholar: and for so many c. l. more as he may dispend, to so many scholars more shall he give like exhibition in the university of Oxford or Cambridge, or some grammar-school; which after they have profited in good learning, may be partners of their patrons cure and charge, as well in preaching, as otherwise, in the execution of their offices, or may (when need shall be) otherwise profit the commonweal with their council and wisdom.

Also, That the proprietaries, parsons, vicars, and clerks, having churches, chappels, or mansions within this deanery, shall bestow yearly hereafter upon the same mansions or chancels of their churches being in decay, the fifth part of that their benefices, till they be fully repaired; and the same so repaired, shall always keep and maintain in good estate.

Also, That the said parsons, vicars and clerks, shall, once every quarter of the year, read these injunctions given unto them, openly and deliberately,

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rately, before all their parishioners, to the intent that both they may be the better admonished of their duty, and their said parishioners the more moved to follow the same for their part.

Also, For as much as by a law established, every man is bound to pay his tythes, no man shall by colour of duty omitted by their curates, detain their tythes, and so redub and requite one wrong with another, or be his own judge, but shall truly pay the same, as he hath been accustomed to their parsons, vicars and curates, without any restraint or diminution. And such lack and default as they can justly find in their parsons and curates, to call for reformation thereof at their ordinaries and other superiours hands, who, upon complaint and due proof thereof, shall reform the same accordingly.

Also, That no person shall from henceforth alter or change the order and manner of any fasting-day that is commanded, or of common-prayer or divine service, otherwise than is specified in these injunctions, until such time as the same shall be otherwise ordered and transposed by the kings authority.

Also, That every parson, vicar, curate, chauntry-priest, and stipendary, being under the degree of a batcheler of divinity, shall provide and have of his own, within three months after this visitation, the new testament both in Latin and in English, with the paraphrase upon the same of Erasmus, and diligently study the same, conferring the one with the other. And the bishops and other ordinaries by themselves or their officers, in their synods and visitations, shall examine the said ecclesiastical persons how they have profited in the study of holy scripture.

Also, In the time of high-mass, within every church, he that saith or singeth the same, shall read or cause to be read the epistle and gospel of that mass in English and not in Latin, in the pulpit, or in such convenient place as the people may hear the same. And every Sunday and holy-day they shall plainly and distinctly read, or cause to be read, one chapter of the new testament in English, in the said place at mattins immediately after the lessons: and at even-song, after "Magnificat," one chapter of the old testament. And to the intent the premises may be more conveniently done, the kings majesties pleasure is, that when ix. lessons should be read in the church, three of them shall be omitted and left out with the responds: and at even-song time the responds with all the memories shall be left off for that purpose.

Also, Because those persons, which be sick and in peril of death, be oftentimes put in despair, by the craft and subtilty of the devil, who is then most busie, and especially with them that lack the knowledge, sure perswasion, and stedfast belief, that they may be made partakers of the great and infinite mercy, which almighty God of his most bountiful goodness, and meer liberality, without our deserving, hath offered freely to all persons, that put their full trust and confidence in him: therefore that this damnable vice of despair may be clearly taken away, and firm belief, and stedfast hope, surely conceived of all

their parishioners, being in any danger, they shall learn and have always in a readines such comfortable places and sentences of scripture, as do set forth the mercy, benefits and goodness of almighty God towards all penitent and believing persons, that they may at all times (when necessity shall require) promptly comfort their flock, with the lively word of God, which is the only stay of mans conscience.

Also, To avoid all contention and strife, which heretofore hath risen among the kings majesties subjects in sundry places of his realms and dominions, by reason of fond courtesie, and challenging of places in procession, and also that they may the more quietly hear that which is said or sung to their edifying, they shall not from henceforth, in any parish church at any time, use any procession about the church or church-yard, or other place, but immediately before high mass, the priests with other of the quire shall kneel in the midst of the church, and sing or say plainly and distinctly the litany which is set forth in English, with all the suffrages following, and none other procession or litany to be had or used but the said litany in English, adding nothing thereto, but as the kings grace shall hereafter appoint: and in cathedral or collegiate churches, the same shall be done in such places as our commissaries in our visitation shall appoint. And in the time of the litany, of the mass, of the sermon, and when the priest readeth the scripture to the parishioners, no manner of persons without a just and urgent cause, shall depart out of the church; and all ringing and knolling of bells, shall be utterly forborn at that time, except one bell in convenient time to be rung or knolled before the sermon.

Also, Like as the people be commonly occupied the work-day, with bodily labour, for their bodily sustenance, so was the holy day at the first beginning godly instituted and ordained, that the people should that day give themselves wholly to God. And whereas in our time, God is more offended than pleased, more dishonored than honored upon the holy day, because of idleness, pride, drunkenness, quarrelling and brawling, which are most used in such days, people nevertheless perswading themselves sufficiently to honor God on that day, if they hear mass and service, though they understand nothing to their edifying: therefore all the kings faithful and loving subjects shall from henceforth celebrate and keep their holy day according to God's holy will and pleasure, that is, in hearing the word of God read and taught, in private and publick prayers, in knowing their offences to God, and amendment of the same, in reconciling their selves charitably to their neighbors, where displeasure hath been, in often times receiving the communion of the very body and blood of Christ, in visiting of the poor and sick, in using all soberness and godly conversation. Yet notwithstanding all parsons, vicars and curates, shall teach and declare unto their parishioners, that they may with a safe and quiet conscience, in the time of harvest, labour upon the holy and festival days, and save that thing which

which God hath sent. And if for any scrupulosity, or grudge of conscience, men should superstitiously abstain from working upon those days, that then they should grievously offend and displease God.

Also, For as much as variance and contention is a thing which most displeaseth God, and is most contrary to the blessed communion of the body and blood of our Saviour Christ; curates shall in no wise admit to the receiving thereof any of their cure and flock, who hath maliciously and openly contended with his neighbor, unless the same do first charitably and openly reconcile himself again, remitting all rancour and malice, whatsoever controversie hath been between them; and nevertheless their just titles and rights they may charitably prosecute before such as have authority to hear the same.

Also, That every dean, archdeacon, master of collegiate church, master of hospital, and prebendary being priest, shall preach by himself personally twice every year at the least, either in the place where he is intituled, or in some church where he hath jurisdiction, or else which is to the said place appropriate or united.

Also, That they shall instruct and teach in their cures, that no man ought obstinately and maliciously to break and violate the laudable ceremonies of the church, by the king commanded to be observed, and as yet not abrogated. And on the other side, that whosoever doth superstitiously abuse them, doth the same to the great peril and danger of his soul's health: as in casting holy water upon his bed, upon images, and other dead things, or bearing about him holy bread, or St. John's gospel, or making of crosses of wood upon palm-sunday, in time of reading of the passion, or keeping of private holy days, as bakers, brewers, smiths, shoemakers, and such other do; or ringing of holy bells, or blessing with the holy candle, to the intent thereby to be discharged of the burden of sin, or to drive away devils, or to put away dreams and phantasies, or in putting trust and confidence of health and salvation in the same ceremonies, when they be only ordained, instituted and made, to put us in remembrance of the benefits which we have received by Christ. And if he use them for any other purpose, he grievously offendeth God.

Also, That they shall take away, utterly extinct and destroy all shrines, covering of shrines, all tables, candlesticks, trindles or rolls of wax, pictures, paintings, and all other monuments of feigned miracles, pilgrimages, idolatry and superstition: so that there remain no memory of the same in walls, glass-windows, or elsewhere within their churches or houses. And they shall exhort all their parishioners to do the like, within their several houses. And that the church-wardens, at the common charge of the parishioners in every church, shall provide a comely and honest pulpit, to be set in a convenient place within the same, for the preaching of God's word.

Also, They shall provide and have within three months after this visitation, a strong chest

with a hole in the upper part thereof, to be provided at the cost and charge of the parish, having three keys, whereof one shall remain in the custody of the parson, vicar or curate, and the other two in the custody of the church-wardens, or any other two honest men, to be appointed by the parish from year to year. Which chest you shall set and fasten near unto the high altar, to the intent the parishioners should put into it their oblation and alms for their poor neighbors. And the parson, vicar or curate, shall diligently from time to time, and specially when men make their testaments, call upon, exhort and move their neighbors, to confer and give, as they may well spare, to the said chest; declaring unto them, whereas heretofore they have been diligent to bestow much substance otherwise than God commanded upon pardons, pilgrimages, trentalles, decking of images, offering of candles, giving to friers, and upon other like blind devotions, they ought at this time to be much more ready to help the poor and needy, knowing that to relieve the poor is a true worshipping of God, required earnestly upon pain of everlasting damnation: and that also, whatsoever is given for their comfort, is given to Christ himself and so is accepted of him, that he will mercifully reward the same with everlasting life: the which alms and devotion of the people, the keepers of the keys shall at times convenient take out of the chest, and distribute the same in the presence of their whole parish, or six of them, to be truly and faithfully delivered to their most needy neighbors: and if they be provided for, then to the reparation of high ways next adjoyning. And also the money which riseth of fraternities, guilds, and other stocks of the church (except by the king's majesties authority it be otherwise appointed) shall be put into the said chest, and converted to the said use, and also the rents and lands, the profit of cattel, and money given or bequeathed to the finding of torches, lights, tapers and lamps, shall be converted to the said use, saving that it shall be lawful for them to bestow part of the said profits upon the reparation of the church, if great need require, and whereas the parish is very poor, and not able otherwise to repair the same.

And forasmuch as priests be publick ministers of the church, and upon the holy days ought to apply themselves to the common administration of the whole parish, they shall not be bound to go to women lying in childbed, except in time of dangerous sickness, and not to fetch any coarfe before it be brought to the church-yard; and if the woman be sick, or the coarfe brought to the church, the priest shall do his duty accordingly in visiting the woman, and burying the dead person.

Also, To avoid the detestable sin of simony, because buying and selling of benefices is execrable before God; therefore all such persons as buy any benefices, or come to them by fraud or deceit, shall be deprived of such benefices, and be made unable at any time after to receive any other spiritual promotion. And such as do sell them,

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or by any colour do bestow them for their own gain and profit, shall lose the right and title of patronage, and presentment for that time, and the gift thereof for that vacation shall appertain to the king's majesty.

Also, Because through lack of preachers in many places of the king's realms and dominions, the people continue in ignorance and blindness, all parsons, vicars, and curates shall read in the churches every Sunday one of the homilies, which are and shall be set forth for the same purpose by the king's authority, in such sort as they shall be appointed to do in the preface of the same.

Also, Whereas many indiscreet persons do at this day uncharitably contemn and abuse priests and ministers of the church, because some of them (having small learning) have of long time favored phantasies rather than God's truth; yet forasmuch as their office and function is appointed of God: the king's majesty willeth and chargeth all his loving subjects, that from henceforth they shall use them charitably and reverently for their office and administration sake, and especially such as labour in the setting forth of God's holy word.

Also, That all manner of persons which understand not the Latin tongue, shall pray upon none other primer, but upon that which was lately set forth in English by the authority of king Henry the eighth, of most famous memory. And that no teachers of youth shall teach any other than the said primer. And all those which have knowledge of the Latin tongue, shall pray upon none other Latin primer, but upon that which is likewise set forth by the said authority. And that all graces to be said at dinner and supper, shall be always said in the English tongue. And that none other grammar shall be taught in any school or other place within the king's realms and dominions, but only that which is set forth by the said authority.

Item, That all chauntry priests shall exercise themselves in teaching youth to read and write, and bring them up in good manners, and other vertuous exercises.

Papae Rom.
PAUL. III. 13.

Archiepisc. Cant.
THO. CRANMER. 15.

Anno Christi.
1547.

Reg. Angliae.
EDWARD. VI. 1.

Injunctions given to Winton coll. by Sir James Hales, Kt. Francis Cave, Dr. and Simon Bridges, D. D. Commissioners of K. Edward VI. in his highness's visitation. 1 E. VI. Ex reg. G. in coll. Winton.

1. **I**T is ordered and decreed by the king's said commissioners, that from henceforth the bible shall be daily read in English, distinctly and apertly, in the midst of the hall, above the hearth, where the fire is made both at dinner and supper.

2. Item, That as well all the scholars of the said college and foundation, as other coming to the said school, being able to buy the new testament in English or Latin, shall provide for the same betwixt this and Christmas next coming, to the intent that they may every Sunday and

Item, when any sermon or homily shall be had, the prime and hours shall be omitted.

The form of bidding the common-prayers.

You shall pray for the whole congregation of Christ's church, and especially for this church of England and Ireland; wherein first I commend to your devout prayers, the king's most excellent majesty, supreme head immediately under God, of the spirituality and temporality of the same church: and for queen Katherine dowager, and also for my lady Mary, and my lady Elizabeth, the king's sisters.

Secondly, you shall pray for the lord protectors grace, with all the rest of the king's majesties council: for all the lords of this realm, and for the clergy and commons of the same: beseeching Almighty God to give every of them in his degree, grace to use themselves in such wise, as may be to God's glory, the king's honor, and the weal of this realm.

Thirdly, ye shall pray for all them that be departed out of this world in the faith of Christ, that they with us, and we with them at the day of judgment, may rest both body and soul, with Abraham, Isaac, and Jacob in the kingdom of heaven.

All which singular injunctions the king's majesty ministreth unto his clergy and their successors, and to all his loving subjects: straightly charging and commanding them to observe and keep the same, upon pain of deprivation, sequestration of fruits or benefices; suspension, excommunication, and such other coercion, as to ordinaries, or other having ecclesiastical jurisdiction, whom his majesty hath appointed for the due execution of the same, shall be seen convenient: charging and commanding them to see these injunctions observed and kept of all persons, being under their jurisdiction, as they will answer to his majesty for the contrary; and his majesties pleasure is, that every justice of peace (being required) shall assist the ordinaries and every of them for the due execution of the said injunctions.

other holy day exercise themselves holie in reading thereof; setting apart all other exercises of prophane authors, and that the warden and school master, or such as the warden in his absence shall appoint, shall diligently from time to time examine them of their exercise in that behalf.

3. Item, That the warden, and in his absence such one as he shall appoint, shall from henceforth every Sunday and holy day, not being principal, or octaves of principal, immediately after dinner read unto the scholars of this school some

You that do truly and earnestly repent you of your sins, and offences, committed to almighty God, and be in love and charity with your neighbors, and intend to lead a new life, and heartily to follow the commandments of God, and to walk from henceforth in his holy ways, draw near and take this holy sacrament to your comfort, make your humble confession to almighty God, and to his holy church, here gathered together in his name, meekly kneeling upon your knees.

Then shall a general confession be made in the name of all those, that are minded to receive the holy communion, either by one of them, or else by one of the ministers, or by the priest himself, all kneeling humbly upon their knees.

Almighty God, Father of our Lord Jesus Christ, maker of all things, judge of all men, we acknowledge and bewail our manifold sins and wickedness, which we from time to time most grievously have committed by thought, word and deed, against thy divine majesty, provoking most justly thy wrath and indignation against us: we do earnestly repent, and be heartily sorry for these our misdoings: the remembrance of them is grievous unto us, the burthen of them is intolerable; have mercy upon us, have mercy upon us most merciful Father; for thy Son our Lord Jesus Christ's sake, forgive us all that is past, and grant that we may ever hereafter serve and please thee in newness of life, to the honor and glory of thy name, through Jesus Christ our Lord.

Then shall the priest stand up, and turning him to the people, say thus:

Our blessed Lord, who hath left power to his church to absolve penitent sinners from their sins, and to restore to the grace of the heavenly Father such as truly believe in Christ, have mercy upon you, pardon and deliver you from all sins, confirm and strengthen you in all goodness, and bring you to everlasting life.

Then shall the priest stand up, and turning him toward the people, say thus:

Hear what comfortable words our saviour Christ saith to all that truly turn to him:

Come unto me all that travel, and be heavy laden, and I shall refresh you. So God loved the world, that he gave his only begotten Son, to the end, that all that believe in him should not perish, but have life everlasting.

Hear also what St. Paul saith:

This is a true saying, and worthy of all men to be embraced and received, that Jesus Christ came into this world to save sinners.

Hear also what St. John saith:

If any man sin, we have an advocate with the father, Jesus Christ the righteous, he it is that obtained grace for our sins.

Then shall the priest kneel down and say in the

name of all them that shall receive the communion, this prayer following:

We do not presume to come to this thy table (O merciful Lord) trusting in our own righteousness, but in thy manifold and great mercies: we be not worthy so much as to gather up the crumbs under thy table: but thou art the same Lord, whose property is always to have mercy: grant us therefore gracious Lord so to eat the flesh of thy dear son Jesus Christ, and to drink his blood in these holy mysteries, that we may continually dwell in him, and he in us; that our sinful bodies may be made clean by his body, and our souls washed through his most precious blood. Amen.

Then shall the priest rise, the people still reverently kneeling, and the priest shall deliver the communion, first to the ministers, if any be there present, that they may be ready to help the priest, and after to the other. And when he doth deliver the sacrament of the body of Christ, he shall say to every one these words following:

The body of our Lord Jesus Christ, which was given for thee, preserve thy body unto everlasting life.

And the priest delivering the sacrament of the blood, and giving every one to drink once and no more, shall say:

The blood of our Lord Jesus Christ, which was shed for thee, preserve thy soul unto everlasting life.

If there be a deacon or other priest, then shall he follow with the chalice, and as the priest ministrerth the bread, so shall he, for more expedition, minister the wine, in form before written.

Then shall the priest, turning him to the people, let the people depart with this blessing:

The peace of God which passeth all understanding, keep your hearts and minds in the knowledge and love of God, and of his Son Jesus Christ our Lord.

To which the people shall answer,
Amen.

Note, That the bread, that shall be consecrated, shall be such as heretofore hath been accustomed. And every of the said consecrated breads shall be broken in two pieces at the least, or more, by the discretion of the minister, and so distributed. And men must not think less to be received in part, than in the whole, but in each of them the whole body of our saviour Jesus Christ.

Note, That if it doth so chance, that the wine hallowed and consecrated doth not suffice, or be enough for them that do take the communion, the priest, after the first cup or chalice be emptied, may go again to the altar, and

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reverently and devoutly prepare and consecrate another, and so the third, or more likewise, beginning at these words, "simili modo, postquam coenatum est," and ending at these words,

"qui pro vobis et pro multis effundetur in remissionem peccatorum:" and without any elevation or lifting up.

Papae Rom.
PAUL. III. 13.

Archiepisc. Cant.
THO. CRANMER. 15.

Anno Christi.
1547.

Reg. Angliae.
EDWARD. VI. 1.

Inhibitio jurisdict. episc. London. pro visitatione regia. Ex reg. Cranmer fol. 31. a.

THOMAS, &c. per illustrissimum in Christo principem & dominum nostrum dominum Edwardum sextum, &c. sufficienter ad infra scripta auctorizatus, venerabili confratri nostro domino Edmundo, eadem permissione Londoniensi episcopo, salutem et fraternam in Domino charitatem. Literas inhibitorias supra dicti invictissimi domini nostri regis sub sigillo suo ad causas ecclesiasticas sigillatas, et ad nos directas, nuper debitis cum honore et reverentia accepimus, tenorem subsequentem complectentes. Edwardus sextus Dei gratia Angliae, Franciae et Hiberniae rex, fidei defensor, et in terra ecclesiae Anglicanae et Hibernae supremum caput; reverendissimo in Christo Patri ac praedilecto consiliario nostro Thomae permissione divina Cantuarien. archiepiscopo, totius Angliae primati et metropolitano, salutem. Quum nos suprema auctoritate nostra regia, &c. "uti supra in literis regiis ad archiepiscopum Eborum." In cujus rei testimonium sigillum nostrum, quo ad causas ecclesiasticas utimur, praesentibus apponi mandavimus. Dat. quarto die mensis Maii anno Domini 1547. et regni nostri anno primo. Nos vero pro nostra erga suam celsitudinem observantia toto pectore affectantes literis inhibitoriis suis regiis hujusmodi, uti decet, obtemperare, volentesque pro debito nostri officii omnem curam et solertem nostram in commissis et demandatis a sua maiestate adhibere diligentiam, vobis pro parte suae regiae maiestatis tenore praesentium mandamus, et praecipiendo injungimus, quatenus receptis praesentibus, omnibus et singulis dictae ecclesiae nostrae Chri-

sti Cantuarien. suffraganeis, ac absentium episcoporum, si qui sunt, vicariis in spiritualibus generalibus inhibeat, inhiberive faciat, quod nec illi, nec illorum quisquam ecclesias, aut alia loca, clerumve aut populum in literis regiis mentionata visitare, aut ea quae sunt jurisdictionis exercere, seu quicquam aliud in praedictum dictae regiae visitationis generalis, aut contentorum in suis literis quovis modo attemptare praesumant, siue praesumat, donec et quousque licentiam et facultatem in ea parte a sua regia celsitudine debite obtinuerint; mandantes praeterea eisdem, ac, ut supra, injungentes, quatenus caetera omnia et singula juxta vim, formam, et effectum dictarum literarum regiarum debite exequi et perimplere faciant, et eorum quilibet faciat cum effectu. Vobis etiam, frater charissime, tenore praesentium similiter inhibemus, ne vos ecclesias, aut alia loca, clerumve aut populum infra civitatem, dioecesim, et jurisdictionem vestram constituta visitare, aut ea quae sunt jurisdictionis exercere, seu quicquam aliud in praedictum regiae visitationis praefatae generalis attemptare praesumatis, sub poena in eisdem dictis literis contenta: mandantes insuper vobis, quatenus caetera omnia et singula juxta vim, formam, et effectum dictarum literarum regiarum pro vestro officio in omnibus et per omnia exequi et perimplere curetis in effectu. In cujus rei, &c. Dat. in manerio nostro de Lambeth 15 die mensis Maii anno Domini 1547. et nostrae consecrationis anno decimo quinto.

Relaxatio inhibitionum quoad jurisdictionem episcopi London. Ibidem.

THOMAS, &c. venerabili confratri nostro domino Edmundo eadem permissione London. episcopo, salutem, et fraternam in Domino charitatem. Literas remissorias dicti metuentissimi domini nostri regis sub sigillo suo ad causas ecclesiasticas sigillatas, et ad nos directas, nuper cum honore et reverentia accepimus, tenorem subsequentem complectentes. Edwardus sextus Dei gratia Angliae, Franciae et Hiberniae rex, fidei defensor, et in terra ecclesiae Anglicanae et Hibernae supremum caput, Thomae permissione divina Cantuariensi archiepiscopo, totius Angliae primati et metropolitano, salutem. Cum nos suprema auctoritate nostra regia omnia et singula loca, clerumque et populum infra et per totum regnum nostrum Angliae constituta, visitare statuerimus, ac tibi, et per te suffraganeis tuis confratribus episcopis, ac per il-

los archidiaconis et aliis quibuscunque jurisdictionem ecclesiasticam exercentibus, tam exemptis, quam non exemptis, infra provinciam tuam Cantuariensem ubilibet constitutis, inhibuimus et mandavimus, quatenus nec tu, nec quisquam eorum ecclesias aut alia loca ecclesiastica, clerumve aut populum visitare, aut ea quae sunt jurisdictionis exercere, seu quicquam aliud in praedictum dictae nostrae visitationis quovis modo attemptare praesumas, aut praesumat, donec et quousque licentiam et facultatem tibi, et eis in ea parte largiendam et impertiendam duxerimus, prout latius in literis inhibitoriis liqueat et appareat: ne tamen causae, querelae, lites, et alia negotia ecclesiastica coram te praefato archiepiscopo, et commissariis tuis, dictisque episcopis, suffraganeis tuis, eorumque archidiaconis et commissariis, ac aliis quibuscunque

que jurisdictionem ecclesiasticam habentibus, inter nostros subditos pendentia, et in posterum ventilanda, et agitanda, nimis et plus juste protelentur et differantur in nostrorum subditorum dispendium et grave dampnum; tibi praefato archiepiscopo et praedictis episcopis suffraganeis tuis, eorumque archidiaconis et commissariis, ac aliis ecclesiasticam jurisdictionem in ea parte habentibus quibuscunque, ad cognoscendum et procedendum in omnibus et singulis causis, querelis, litibus, et negotiis ecclesiasticis praedictis, atque testamenta et administrationes bonorum infra tuam dioecesim aut jurisdictionem decedentium, ac alia testamenta et administrationes bonorum, vigore praerogativae tuae quaecunque; praedictisque episcopis suffraganeis, ac aliis jurisdictionem ecclesiasticam habentibus, testamenta et administrationes bonorum infra suas dioeceses seu jurisdictiones decedentium juxta vim, formam et effectum priorum nostrarum literarum commissarialium, tibi praefato archiepiscopo, suffraganeisque tuis ac aliis praedictis respective factarum, indistincte approbanda, insinuanda et committenda; beneficia quoque ecclesiastica illis, quibus vobis visum fuerit, conferenda, ac quoscunque clericos vobis ad beneficia ecclesiastica praesentatos, admittendos et instituendos, donec et quousque literas monitorias pro nostra visitatione a nostris commissariis re-

ceperitis et habueritis, licentiam et facultatem plenam, ex nostra clementia, per praesentes damus et concedimus, inhibitione nostra hujusmodi non obstante. Dat. decimo sexto die mensis Maii anno Domini 1547. et regni nostri anno primo. Vobis igitur, reverende frater, tenore praesentium intimamus, quatenus omnem et omnimodam jurisdictionem ecclesiasticam et episcopalem infra civitatem, dioecesim, et jurisdictionem vestras Londonien. juxta formam et tenorem dictarum literarum regiarum praeinsertarum, in omnibus et per omnia libite et libere exercere, et exequi possitis et valeatis, inhibitione nostra, immo verius dicti potentissimi domini nostri regis alias vobis in hac parte emanata, in aliquo non obstante; vobis praeterea mandantes, quatenus omnibus et singulis ecclesiae nostrae Christi Cantuarien. suffraganeis, ac absentium episcoporum; si qui sunt, vicariis in spiritualibus generalibus, nec non archidiaconis vestris et aliis jurisdictionem ecclesiasticam infra dictam dioecesim vestram Londonien. habentibus, praemissa omnia et singula respective intimetis, uti ipsi & eorum quilibet jurisdictionem suam ecclesiasticam modis et formis praedictis similiter exercent et exercent, et notificetis. Dat. in manerio nostro de Lambeth, tertio die mensis Junii. anno Domini 1547. et nostrae consecrationis decimo quinto.

Papae Rom.

PAUL. III. 13.

Archiepisc. Cant.

THO. CRANMER. 15.

Anno Christi.

1547.

Reg. Angliae.

EDWARD. VI. 1.

Synodus provincialis Cantuar. per breve regis Edwardi VI. dat. xxix. die Augusti convocata, quinto die Novembris in ecclesia S. Pauli London; et deinde per aliud breve dat. xxvi. die Decembris ad vicesimum primum diem Aprilis prorogata fuit. Ex reg. Cranmer fol. 12.

PERACTIS sacris, exhibitisque certificatoriis et procuratoriis clerus inferioris domus convocationis Johannem Taylour in prolocutorem elegit, quem reverendissimus admisit.

In secunda hujus synodi sessione, die sc. vicesimo secundo mensis Novembris, "concordatum fuit in domo inferiori, ut dominus prolocutor nomine totius domus referat reverendissimo, &c. sequentes petitiones.

1. Quod provideatur, ut ecclesiasticae leges examinentur et promulgentur, juxta statutum parlamenti editi 35 Hen. VIII. c. 19.

2. Item, ut pro nonnullis urgentibus causis, convocatio hujus cleri, si fieri possit, assumatur et cooptetur in inferiorem domum parlamenti, sicut ab antiquo fieri consuevit.

3. Item, ut opera episcoporum, et aliorum, qui alias, ex mandato convocationis, servitio divino examinando, reformando, et edendo, invigilarunt, proferantur, et hujus domus examinationem subeant.

4. Item, ut rigor statuti de primitiis, domino nostro regi solvendis, aliquantisper, in certis urgentibus clausulis, moderetur, et reformetur, si commode fieri potest.

The words of their petition, as they were found in archbishop Cranmer's MS. in the hands of

Edward Stillingfleet late bishop of Worcester.

First, That ecclesiastical laws may be made and established in this realm, by thirty two persons, or so many as shall please the king's majesty to name or appoint, according to the effect of a late statute made in the 35th year of the most noble king, and of the most famous memory, king Henry VIII. so that all judges ecclesiastical, proceeding after those laws, may be without danger and peril.

Also that according to the antient custom of this realm, and the tenor of the king's writs for the summoning of the parliament; which be now, and ever have been directed to the bishops of every diocese, the clergy of the lower house of convocation may be adjoined and associated with the lower house of parliament; or else that all such statutes and ordinances, as shall be made concerning all matters of religion, and causes ecclesiastical, may not pass without the sight and assent of the said clergy.

Also that whereas by the commandment of king Henry VIII. certain prelates and other learned men were appointed to alter the service in the church, and to devise other convenient and uniform order therein, who according to the

the same appointment did make certain books, as they be informed; their request is, that the said books may be seen and perused by them, for a better expedition of divine service to be set forth accordingly.

Also that men being called to spiritual promotions or benefices, may have some allowance for their necessary living and other charges, to be sustained and born concerning the said benefices, in the first year wherein they pay the first fruits.

In quinta et sexta sessione hujus synodi, nemine reclamante, communio sub utraque specie stabilita fuit; in quarum ultima nonnulli e domo inferiori convocationis electi sunt ad concipiendam formam statuti pro decimis solvendis in urbibus.

In septima sessione (nono die Decembris) "communi consensu, nominati fuerunt sollicitatores ad obtinendum effectus sequentes. viz. That the petition made to have this house adjoynd to the lower house of the parliament may be obtained. Item, that a mitigation of the fore penalty, expressed in the statutes, against the recusants for non-payment of the perpetual tenth, may be also obtained. And the same day were likewise appointed — to associate Mr. prolocutor to my lord of Canterbury to know a determinate answer what indemnity and immunity this house shall have to treat of matters of religion, in cases forbidden by the statutes of this realm to treat in.

The words of their address out of archbishop Cranmer's papers were these.

Where the clergy in the present convocation assembled, have made humble suit unto the most reverend father in God, my lord archbishop of Canterbury, and all other bishops, that it may please them to be a mean to the king's majesty, and the lord protector's grace, that the said clergy, according to the tenor of the king's [writ] and the antient laws and customs of this noble realm, might have their room and place, and be associated with the commons in the nether house of this present parliament, as members of the common wealth, and the king's most humble subjects; and if this may not be permitted and granted to them, that then no laws concerning the christian religion, or which shall concern especially the persons, possessions, rooms, livings, jurisdictions, goods, or chattels of the said clergy, may pass nor be enacted, the said clergy not being made privy thereunto, and their answers and reasons not heard: the said clergy do most humbly beseech an answer and declaration to be made unto them, what the said most reverend father in God, and all other the bishops have done in this their humble suit and request, to the end, that the said clergy, if need be, may choose of themselves such able and discreet persons, which shall effectually follow the same suit in the name of them all.

And where in a statute ordained and established by authority of parliament at Westminster, in the twenty second year of the reign of the most excellent prince king Henry VIII. the clergy of this realm, submitting themselves to

the king's highness did, acknowledge and confess according to the truth, that the convocations of the same clergy hath been, and ought to be assembled by the king's writ. And did promise further "in verbo sacerdotii," that they never from henceforth would presume to attempt, alledge, claim, or put in ure or enact, promulge, or execute any new canons, constitutions, ordinances provincial or other, or by whatsoever other name they should be called in the convocation, unless the king's most royal assent and licence may to them be had, to make, promulge or execute the same; and his majesty to give his most royal assent and authority in that behalf, upon pain of every one of the clergy doing the contrary, and being thereof convict, to suffer imprisonment, and make fine at the king's will. And that no canons, constitutions or ordinances shall be made, or put in execution within this realm, by authority of the convocation of the clergy, which shall be repugnant to the king's prerogative royal, or the customs, laws or statutes of this realm. Which statute is eftsoons renewed and established in the twenty seventh year of the reign of the said most noble king, as by the tenor of both statutes more at large will appear. The said clergy being presently assembled in convocation by authority of the king's writ, do desire that the king's majesty's licence in writing may be for them obtained and granted, according to the effect of the said statute, authorising them to attempt, treat and commune of such matters, and therein freely to give their consents, which otherwise they may not do upon pain of peril promised.

Also the said clergy desireth, that such matters as concerneth religion, which be disputable, may be quietly and in good order reasoned and disputed among them in this house, whereby the verities of such matters shall the better appear. And the doubts being opened and resolutely discussed, men may be fully persuaded with the quietness of their consciences, and the time well spent."

In sessione octava (xvii. die Decembris) "exhibita fuit quaedam propositio sub his verbis: that all such canons, laws, statutes, decrees, usages and customs heretofore made, had or used, that forbad any person to contract matrimony, or condemn matrimony already contracted, by any person, for any vow or promise of priesthood, chastity or widowhood, shall from henceforth cease, be utterly void, and of none effect. Cui propositioni multi subscripserunt, affirmantes 53, negantes 22." Et quia doctor Johannes Redman huic convocationi non interfuit; sensum suum ut separatim declararet, rogabatur, quem subscriptione sua hoc modo expressit.

"I think that though the word of God do exhort and counsel priests to live in chastity, out of the cumber of the flesh and the world, that thereby they may the more wholly attend to their calling; yet the band of containing from marriage doth only lye upon priests of this realm, by reason of canons and constitutions of the church, and not by any precept of God's word, as in that they should be bound by reason of any

vow,

some part of the proverbs of Solomon, for the space of one hour, which book ended, he or his sufficient deputy shall begin the book of Ecclesiastes, which also ended, they shall begin then again the said proverbs, and so continue; the said lecture to begin on this side Christmas next, videlicet, anno Domini 1547.

4. Item, That from henceforth the said scholars shall use no other primer, than that which is set forth by the king's authority, the Latin primer for them that understand Latin, and the English primer for them that understand not Latin. And yet notwithstanding, for him that understandeth the Latin, to use which of them he liketh best for his edification.

5. Item, The warden and schoolmaster in all lectures and lessons of prophane authors, shall confute and refel by allegation of scriptures, all such sentences and opinions, as seem contrary to the word of God and christian religion.

6. Item, That every scholar of this foundation and other, coming to the said school, shall provide with all convenient expedition, for Erasmus catechism, wherein the warden or his sufficient deputy, every Sunday and holy day, shall read some part thereof, proving every article thereof by the scripture, and exercise the scholars at such time therein.

7. Item, That all graces to be said or sung at meals, within the said college, and other prayers, which the said scholars or children are bound to use, shall be henceforth said or sung evermore in English; that they shall henceforth omit to

sing or say "stella caeli; salve regina;" and any such like untrue or superstitious anthem.

8. Item, As well every minister and ecclesiastical person in the college, as other laymen and servants, shall abstain from all manner of ribered words and filthy communication and other uncomely and light demeanour, least the tender youth hearing and conceiving the same, may thereby be infected and provoked to vice.

9. Item, Whereas four bibles be appointed by the king's highness injunctions to lie in the quire and body of the church, it shall be lawful for the scholars to carry and occupy one of the said bibles to and in the hall, and another of them in the school, so that they render them to the church and quire afterwards.

10. Item, That as well the said warden, as every fellow, and conduct, teaching the children, shall have for his and their pains one yearly stipend of the common goods of the college, taxed by the warden, with the assent of the most part of the fellows; and the school master and usher to have the old accustomed stipend of commensals, and the warden, fellow or conduct to require no part thereof.

11. Item, That no person in the said college have the correction of the grammarians beside the warden, school master, usher, and such fellow or conduct as shall teach them in the wardens absence; and that there be no excessive correction, but that the same may be mitigated by the warden's direction.

JAMES HALES.
FRANCIS CAVE.

Papae Rom.
PAUL. III. 13.

Archiepisc. Cant.
THO. CRANMER. 15.

Anno Christi.
1547.

Reg. Angliae.
EDWARD. VI. 1.

The king's injunctions particularly delivered to the bishops. Heylin hist. reform.

P. 37.

1. **T**HAT they should, to the utmost of their power, wit and understanding see and cause all and singular the king's injunctions heretofore given, or after to be given, from time to time, in and through their dioceses duly, faithfully, and truly to be kept, observed, and accomplished; and that they should personally preach within their dioceses every quarter of a year, once at the least, that is to say, once in their cathedral churches, and thrice in other several places of their dioceses, whereas they should see it more convenient, and necessary, except they had a reasonable excuse to the contrary. Likewise that they should not retain into their service or household any chaplain, but such as were learned and able to preach the word of God, and those they should also cause to exercise the same.

2. And secondly, That they should not give orders to any person, but such as were learned in holy scripture; neither should deny them to such as were learned in the same, being of honest conversation or living. And lastly, that they should not at any time or place preach, or set forth unto the people, any doctrine contrary or repugnant to the effect and intent contained or set forth in the king's highness homilies; neither yet should admit or give licence to preach to any within their dioceses, but to such as they should know, or at least assuredly trust, would do the same; and if at any time, by hearing or by report proved, they should perceive the contrary, they should then incontinent not only inhibit that person so offending, but also punish him, and revoke their licence.

Papae Rom.
PAUL. III. 13.Archiepisc. Cant.
THO. CRANMER. 15.Anno Christi.
1547.Reg. Angliae.
EDWARD. VI. 1.*The king's letter to the archbishop of York concerning the visitation then intended.*
Ex MS. Cott. Titus. B. 2. fol. 89.

EDWARDUS sextus Dei gratia Angliae, Franciae et Hiberniae rex, fidei defensor, ac in terra ecclesiae Anglicanae et Hiberniae supremum caput, Reverendissimo in Christo Patri, ac praedilecto consiliario nostro Roberto permissione divina Eboracen. archiepiscopo, Angliae primate et metropolitano, salutem. Quum nos suprema autoritate nostra regia omnia et singula loca ecclesiastica clerumque et populum, infra et per totum nostrum Angliae regnum, constituta propediem visitare statuerimus, vobis tenore praesentium stricte inhibemus atque mandamus, et per vos suffraganeis vestris confratribus episcopis, ac per illos suis archidiaconis, ac aliis quibuscunque jurisdictionem ecclesiasticam exercentibus, tam exemptis quam non exemptis, infra vestram provinciam Eboracen. ubilibet constitutis, sic inhiberi volumus atque praecipimus, quatenus nec vos nec quisquam eorum ecclesias aut alia loca praedicta, clerumve aut populum visitare, aut ea quae sunt jurisdictionis exercere, seu quicquam aliud in praejudicium dictae nostrae visitationis generalis quovismodo attemptare praesumat sive praesumant, sub poena contemptus donec et quosque licentiam et facultatem, vobis et eis in ea parte largiend. et impertiend. fore duxerimus. Et quia non solum internam animorum

subditorum nostrorum pacem, verum etiam externam eorum concordiam, multiplicibus opinionum procellis ex contentione, dissentione et controversiis concionatorum exortis, multum corruptam, violatam ac misere divulsam esse cernimus. Idcirco vobis admodum necessarium visum est ad sedandas et componendas hujusmodi opinionum varietates, quatenus inhibeatis seu inhiberi faciatis omnibus et singulis episcopis, ne alibi quam in ecclesiis suis cathedralibus, et aliis personis ecclesiasticis quibuscunque, ne in alio loco quam in suis ecclesiis collegiatis sive parochialibus, in quibus intitulati sunt, praedicent, aut subditis nostris quovismodo concionand. munus exercent, nisi ex gratia nostra speciali ad id postea licentiati fuerint, sub nostrae indignationis poena. In cujus rei testimonium figillum nostrum, quo ad causas ecclesiasticas utimur, praesentibus apponi mandavimus. Dat. quarto die mensis Maii anno Domini 1547, et regni nostri anno primo.

E. SOMERSET.

T. SEYMOUR.

T. CANTUAR.

WILL. PETRE, Sec^r

W. ST. JOHN.

J. RUSSEL.

JOHN GAGE.

JOHN BARKER.

The protestation of the bishop of London made to the visitors, when he received the king's majesty's injunctions and homilies. Ex libro concilii fol. 110. apud Burnet. hist. reform. vol. 2. app. fol. 112.

I Do receive these injunctions and homilies with this protestation, that I will observe them, if they be not contrary and repugnant to God's laws and the statutes and ordinances of this church.

The submission and revocation of the same bishop made before the lords of the king's majesty's council, presently attending upon his majesty's person, with the subscription of his name thereunto.

Whereas I Edmund bishop of London have at such time, as I received the king's majestys, my most dread sovereign lord's injunctions and homilies at the hands of his highness's visitors, did unadvisedly make such protestation as now upon better consideration of my duty of obedience, and of the ill example that may ensue to others thereof, appeareth to me neither reasona-

ble, nor such as might well stand with the duty of an humble subject. Forasmuch as the same protestation, at my request, was then by the register of that visitation enacted and put in record; I have thought it my bounden duty, not only to declare before your lordships, that I do now, upon better consideration of my duty, renounce and revoke my said protestation, but also most humbly beseech your lordships, that this my revocation of the same may likewise be put in the same records for a perpetual memory of the truth; most humbly beseeching your good lordships, both to take order that it may take effect, and also that my former unadvised doings may by your good mediations be pardoned of the king's majesty.

EDMUND London.

The order of the communion.

II

Papae Rom.
PAUL. III. 13.

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THO. CRANMER. 15.

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EDWARD. VI. 1.

The order of the communion.

The proclamation.

EDWARD by the grace of God, king of England, France and Ireland, defender of the faith, and of the church of England and Ireland in earth the supreme head: to all and singular our loving subjects, greeting. For so much as in our high court of parliament, lately holden at Westminster, it was by us, with the consent of the lords spiritual and temporal, and commons there assembled, most godly and agreeably to Christ's holy institution, enacted, that the most blessed sacrament of the body and blood of our Saviour Christ, should from thenceforth be commonly delivered and ministred unto all persons within our realm of England and Ireland, and other our dominions under both kinds, that is to say, of bread and wine (except necessity otherways require) lest any man fancying and devising a sundry way by himself, in the use of this most blessed sacrament of unity, there might thereby arise any unseemly and ungodly diversity: our pleasure is, by the advice of our most dear uncle the duke of Somerset, governour of our person, and protector of all our realms, dominions and subjects, and other of our privy council, that the said blessed sacrament be ministred unto our people only after such form and manner as hereafter, by our authority, with the advice before mentioned, is set forth and declared: willing every man with due reverence and christian behaviour, to come to this holy sacrament and most blessed communion, lest by the unworthy receiving of so high mysteries, they become guilty of the body and blood of the Lord, and so eat and drink their own damnation: but rather diligently trying themselves, that they may so come to this holy table of Christ, and so be partakers of this holy communion, that they may dwell in Christ, and have Christ dwelling in them: and also with such obedience and conformity to receive this our ordinance, and most godly direction, that we may be encouraged from time to time further to travel for the reformation, and setting forth of such godly orders, as may be most to God's glory, the edifying of our subjects, and for the advancement of true religion.

Which thing we (by the help of God) most earnestly intend to bring to effect: willing all our loving subjects in the mean time, to stay and quiet themselves with this our direction, as men content to follow our authority (according to the bounden duty of subjects) and not enterprising to run afore, and so by their rashness become the greatest hinderers of such things, as they more arrogantly than godly would seem (by their own private authority) most hotly to set forward. We would not have our subjects so much to mislike our judgment, so much to

mistrust our zeal, as though we either could not discern what were to be done, or would not do all things in due time: God be praised, we know both what by his word is meet to be redressed, and have an earnest mind, by the advice of our most dear uncle, and other of our privy council, with all diligence and convenient speed so to set forth the same, as it may most stand with God's glory, and edifying and quietness of our people: which we doubt not, but all our obedient and loving subjects will quietly and reverently tarry for.

God save the king.

The ORDER of the COMMUNION.

First, the parson, vicar, or curate, the next Sunday or holy day, or at the least one day before he shall minister the communion, shall give warning to his parishioners, or those which be present, that they prepare themselves thereto, saying to them openly and plainly as hereafter followeth, or such like.

DEAR friends, and you especially upon whose souls I have cure and charge, upon day next I do intend by God's grace to offer to all such as shall be there godly disposed, the most comfortable sacrament of the body and blood of Christ, to be taken of them in the remembrance of his most fruitful and glorious passion: by the which passion, we have obtained remission of our sins, and be made partakers of the kingdom of heaven; whereof, we be assured and ascertained, if we come to the said sacrament with hearty repentance for our offences, stedfast faith in God's mercy, and earnest minds to obey God's will, and to offend no more: wherefore our duty is, to come to these holy mysteries with most hearty thanks to be given to almighty God for his infinite mercy and benefits, given and bestowed upon us, his unworthy servants, for whom he hath not only given his body to death, and shed his blood, but also doth vouchsafe in a sacrament and mystery, to give us his said body and blood spiritually to feed and drink upon. The which sacrament, being so divine and holy a thing, and so comfortable to them which receive it worthily, and so dangerous to them that will presume to take the same unworthily; my duty is to exhort you in the mean season, to consider the greatness of the thing, and to search and examine your own consciences, and that not lightly, nor after the manner of dissemblers with God: but as they which should come to a most godly and heavenly banquet: not to come but in the marriage garment required of God in scripture, that you may, so much as lieth in you, be found worthy to come to such a table. The ways and means thereto is,

First,

The order of the communion.

First, That you be truly repentant of your former evil life, and that you confess with an unfeigned heart to almighty God, your sins and unkindness towards his majesty, committed either by will, word or deed, infirmity or ignorance, and that with inward sorrow and tears, you bewail your offences, and require of almighty God mercy and pardon, promising to him from the bottom of your hearts, the amendment of your former life. And amongst all others I am commanded of God, especially to move and exhort you, to reconcile your selves to your neighbors, whom you have offended, or who have offended you, putting out of your hearts all hatred and malice against them, and to be in love and charity with all the world, and to forgive other, as you would that God should forgive you. And if there be any of you, whose conscience is troubled and grieved at any thing, lacking comfort or counsel, let him come to me, or to some other discreet and learned priest taught in the law of God, and confess and open his sin and grief secretly, that he may receive such ghostly counsel, advice and comfort, that his conscience may be relieved, and that of us, as a minister of God and of the church, he may receive comfort and absolution, to the satisfaction of his mind, and avoiding of all scruple and doubtfulness: requiring such as shall be satisfied with a general confession, not to be offended with them that do use, to their further satisfying, the auricular and secret confession to the priest, nor those also which think needful or convenient for the quietness of their own consciences, particularly to open their sins to the priest, to be offended with them which are satisfied with their humble confession to God, and the general confession to the church: but in all these things, do follow and keep the rule of charity, and every man to be satisfied with his own conscience, not judging other mens minds or acts, whereas he hath no warrant of God's word for the same.

The time of the communion shall be immediately after that the priest himself hath received the sacrament, without the varying of any other rite or ceremony in the mass (until other orders shall be provided) but as heretofore usually the priest hath done with the sacrament of the body, to prepare, bless and consecrate so much as will serve the people: so it shall yet continue still after the same manner and form, save that he shall bless and consecrate the biggest chalice, or some fair and convenient cup or cups full of wine, with some water put unto it. And that day, not drink it up all himself, but take one only sup or draught, leave the rest upon the altar covered, and turn to them that are disposed to be partakers of the communion, and shall thus exhort them as followeth.

Dearly beloved in the Lord, ye coming to his holy communion must consider what St. Paul writeth to the Corinthians, how he exhorteth all persons diligently to try and examine themselves, or ever they presume to eat of this bread,

and drink of this cup: for as the benefit is great, if with a truly penitent heart and lively faith we receive this holy sacrament (for then we spiritually eat the flesh of Christ, and drink his blood; then we dwell in Christ, and Christ in us, we be made one with Christ, and Christ with us) so is the danger great if we receive the same unworthily: for then we become guilty of the body and blood of Christ our saviour, we eat and drink our own damnation, because we make no difference of the Lord's body, we kindle God's wrath over us, we provoke him to plague us with divers diseases, and sundry kinds of death. Judge therefore your selves, brethren, that ye be not judged of the Lord. Let your mind be without desire to sin: repent you truly for your sins past, have an earnest and lively faith in Christ our saviour, be in perfect charity with all men, so shall ye be meet partakers of these holy mysteries. But above all things, you must give most humble and hearty thanks to God the Father, the Son and the holy Ghost, for the redemption of the world by the death and passion of our saviour Christ both God and man, who did humble himself even to the death upon the cross for us miserable sinners, lying in darkness and the shadow of death, that he might make us the children of God, and exalt us to everlasting life. And to the end that we should always remember the exceeding love of our master, and only saviour Jesus Christ thus dying for us, and the innumerable benefits which by his precious blood shedding he hath obtained to us, he hath left in these holy mysteries as a pledge of his love, and a continual remembrance of the same, his own blessed body and precious blood for us spiritually to feed upon, to our endless comfort and consolation. To him therefore with the Father and the holy Ghost, let us give, as we are most bounden, continual thanks, submitting our selves wholly to his holy will and pleasure, and studying to serve him in true holiness and righteousness all the days of our life. Amen.

Then the priest shall say to them which be ready to take the sacrament.

If any man here be an open blasphemer, adulterer, in malice or envy, or any other notable crime, and be not truly sorry therefore, and earnestly minded to leave the same vices, or that doth not trust himself to be reconciled to almighty God, and in charity with all the world, let him yet awhile bewail his sins, and not come to this holy table, lest after the taking of this most blessed bread, the devil enter into him, as he did into Judas, to fulfill in him all iniquity, and to bring him to destruction, both of body and soul.

Here the priest shall pause a while, to see if any man will withdraw himself: and if he perceive any so to do, then let him commune with him privily at convenient leisure, and see whether he can with good exhortation, bring him to grace: and after a little pause, the priest shall say,

I

You

vow, which (in as far as my conscience is) priests in this church of England do not make: I think that it standeth well with God's word, that a man, which hath been and is but once married, being otherwise accordingly qualified, may be made a priest. And I think that forasmuch as canons and rules, made in this behalf, be neither universal nor everlasting, but upon considerations may be altered and changed;

therefore the king's majesty and the higher powers of the church may, upon such reason as shall move them, take away the clog of perpetual continency from priests, and grant that it may be lawful to such, as cannot, or will not contain, to marry one wife; and if she dies, then the said priest to marry no more, remaining still in his ministration."

Papae Rom.
PAUL. III. 13.

Archiepisc. Cant.
THO. CRANMER. 15.

Anno Christi.
1547.

Reg. Angliae.
EDWARD. VI. 1.

Mandatum visitatorum regionum sive commissariorum generalium ad visitandum dioeceses Sarum, Exon, Bath, Bristol, et Gloucester. viz. Will. Mey LL. D. decan. S. Pauli London. Simon Haynes S. T. P. decan. Exon. Walter Buckler mil. et Tho. Cottisford clerici. Tenor literarum eorum ad episcopum B. W. et decanum et capitulum talis est. Ex reg. Well.

INHIBEMUS quibuscunque jurisdictionem aliquam ecclesiasticam exercentibus, ne a tempore receptionis praesentium jurisdictionem aliquam alicubi infra dioec. vestram exerceatis, quicquamve aliud in praejudicium sive dispendium hujus visitationis regiae quovis modo attentetis, &c. Vosque Will. B. W. episcopum peremptorie citamus, decanum et capitulum, caeterosque ecclesiae cathedr. ministros, canonicos, praebendarios, cantaristas, stipendiarios, et officarios quoscunque — quatenus coram nobis compareatis — in domo capitulari ecclesiae cathedr. Well. 14. Sept. inter horas 8. et 10. ante meridiem cum continuatione et prorogatione — fundationes, dotationes, cartas, indotamenta, concessionis, compotos, statuta, ordinationes, registra, caeteraque id genus omnia et singula, vos illosque, ac dict. episcopatus et ecclesiae vestrae statum concernentia, scripta insuper alia et munimenta quaecunque, licentias, installationes, collationes, institutiones, uniones, ordinum literas, dispensationes, pluralitates, cessionesque omnes et omnimodas, vobis aut ecclesiae vestrae fact. et concess. Nobis ibidem ostensuri et exhibitori, ulteriusque facturi et recepturi, quod hujusmodi visitationis regiae qualitas, natura et justitia postulant, exigunt, requiruntque sub poena contemptus in ea parte vobis illisque infligendo. Mandamus insuper, quod citetis

omnes et singulos collegiorum custodes, guardianos, praepositos, proprietar. rectores, vicarios, cantaristas, capellanos, stipendiarios, curatos et non curatos, paedagogos et hypodidasalos, ac clericos quoscunque — nec non de singulis parochiis 8, 6. vel 4. viros laicos, fide inter caeteros dignissimos, pro modulo cujuslibet parochiae hujusmodi, super inquirend. ab eisdem meliorem notitiam habentes, quatenus compareant coram nobis — juramentum fidelitatis et obedientiae erga regem — gerente deque renuenda, renuncianda, rejicienda, abjuranda et penitus abneganda episcopi Romani crudeli, praetensa, usurpata, diabolica, et ficta in regnum Angliae ejusdemque dominia auctoritate — et quaecunque alia licita sacramenta, in ea parte praestare requisita, juxta statutum hujus regni Angliae 28 Hen. VIII. — ad sancta evangelia praestitur. et subitur. per seipsos, nisi gravi, arduo, et legitimo impedimento coram nobis commissariis — allegand. et proband. alioquin per procuratores suos legitime constitutos titulos dignitatum et beneficiorum suorum, nec non literas ordinum, licentias — exhibitori, procuracionesque ratione dictae regiae visitationis suae majestati debitas soluturi, dictique parochiani veritatem, quam noverint, super inquirend. ab eisdem visitationem regiam hujusmodi concernent. dicturi — dat 30. Aug. 1547.

Papae Rom.
PAUL. III. 13.

Archiepisc. Cant.
THO. CRANMER. 16.

Anno Christi.
1547.

Reg. Angliae.
EDWARD. VI. 1.

The councils letter to enquire after things belonging to churches. Ex reg. Voysey Exon. fol. 115.

AFTER our hearty commendations to your lordship, they shall be to signify unto the same, that it hath been brought to our knowledge, that sundry persons upon some vain brutish or rather their own rashness, have now lately attempted in several places of the realm, to make sale of the ornaments of the plate, jewels, and bells of sundry churches, wherein as they have demeaned themselves otherwise, than became them, and given a very ill example; so

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thinking it convenient both to have a stay made, that the like be not from henceforth attempted, and also to have perfect knowledge, how and to what uses the money received for any of the things aforesaid, hath been employed; we have thought good to require you, that unless the king's majesty's commissioners for the visitation have already taken order therein, ye cause due search and enquiry to be undelaydly made by your ministers, what hath been taken away,

F

fold

fold or alienated out of any church or chappel of your diocefs, and by whom and to what ufes, the money growing thereupon hath been employed; and thereupon taking fpecial note of their names, who have made the fame away, and of the value of the things, to give a ftrait commandment in the king's majefty's behalf, that they nor any other prefume not from thenceforth to make any fuch alienation; fignifying unto us, what ye fhall have done therein, where-

upon fuch further order fhall be taken, as fhall be expedient. Thus fare your lordfhip right heartily well. From Hampton court the feventeenth of October 1547. Your affured friends.

E. SOMERSETT. H. ARRUNDELL. W. PAGETT.
T. SEYMOUR. W. PETRE.

To our very good lord the bifhop of EXESTRE.

Papae Rom.
PAUL. III. 14.

Archiepisc. Cant.
THO. CRANMER. 16.

Anno Chriffti.
1547.

Reg. Angliar.
EDWARD. VI. 1.

Mandatum archiepiscopi Cant. decano et capit. S. Pauli London de gratiis agendis ob victoriam a Scotis obtentam. Ex reg. Cranmer. fol. 55. a.

AFTER our right hartie commendations; where it hath pleased almightie Godde to fende the kinges majesty fuche victorie againft the Scottes, as was almoſte above the expectation of manne, and foche as hath not bene harde of in any partes of chriſtendome theſe many yeres; in which victorie above the number of fifteen thouſand Scottes be ſlayne, two thouſand taken pryſoners, and amonge theme manie noble menne and others of good reputation, all theire ordenaunce and baggage of their campe alſo woone from them. The kinges majesty wythe the advyſe of his highnes privy counſaile preſentlye attendinge upon his majesties moſte royall perſonne, wel knowinge this as well as all other goodneſſe to be the giftes of Godde, hathe and ſo dothe accompte it, and therefore renderithe unto hym th'onelye glorie and prayſe for the fame, and ſo hath willed me, not onelye in his majesties cathederall church, and other churches of my dioceſe, to gyve thanks to almightie Godde, but alſo to require in his name all other byſſhopes of the province of Canterburie to doo or cauſe to be done ſemblable in there cures: whiche his majesties plea-

ſure I have thought goode to ſignifie unto you, requyrynge youe not onelie to cauſe a ſermonne to be made in your cathedrall church the next hollyday after receipte herof, declaringe the goodneſſe of Godde, and exhortyng the people to faythe, and amendement of lyf, and to gyve thanks to Godde for this victorie; but alſo at the ſame tyme immediatlie after the ſermon, and in preſence of the mayor, aldermenne, and other the citezynnnes of the citie of Londonne, to cauſe the proceſſion in Englyſhe, and "Te Deum" to be openly and devoutelie ſonge, and that you do alſo cauſe the lyke ordre to be given in every paryſhe church of your dioceſſe uppon ſome holyday, whenn the pariſhners ſhall be there preſent wythe as moch ſpede as youe maye; not faylyng as you tender his majesties pleaſure. Thus fare youe hartelie well, from Otelandes the 18th day of December, the yeare of our Lorde Godde 1547. youre lovinge friende Thomas Cantuarien. The counſelles pleaſure is youe ſhall ſee this executed on twef-day nexte.

To the deane and chapter of ſaint Paule in Londonne this be given in haſte.

A proclamation concerning the irreverent talkers of the sacrament. Dated the 27th day of December, anno regni reg. Edwardi primo.

WH E R E A S the kyngs highnes hath of late, with the aſſent and conſent of the lords ſpiritual and temporal, and the commons in the parliament held the fourth day of November, in the firſt year of his moſt gracious reign, made a good and godly act and eſtatute againſt thoſe who do contempn, deſpiſe, or with unſemely and ungodly words deprave and revile the holy ſacrament of the body and blood of our Lord, commonly called "the ſacrament of the altar;" and the ſaid eſtatute hath moſt prudently declared, by al the words and terms in which ſcripture ſpeaketh of it, what is undoubtedly to be accepted, beleevd, taken and ſpoken by and of the ſaid ſacrament: yet this notwithstanding his majeſty is advertiſed, that ſome of his ſubjects, not contented with ſuch words and terms as ſcripture doth declare thereof, nor with that

doctrin which the holy Ghoſt by the evangelists and St. Paul hath taught us do not, ceaſe to move contentious and ſuperfluous queſtions of the ſaid holy ſacrament, and ſupper of the Lord; entryng raſhly into the diſcuſſing of the high myſtery, thereof, and go about in their ſermons or talks arrogantly to define the manner, nature, faſhion, ways, poſſibility or impoſſibility of thoſe matters; which neither make to edification, nor God hath by his holy word opened.

Which perſons, not contented reverently and with obedient faith t'accept that the ſaid ſacrament, according to the ſaying of St. Paul, "the bread is the communion," or partaking, "of the body of the Lord; the wine," likewise, "the partaking of the bloud of Chriſt" by the words inſtituted and taught of Chriſt: and that the body and bloud of Jeſu Chriſt is there; which

which is our comfort, thanksgiving, love-token of Christ's love towards us, and of ours as his members within ourself, search and strive unreverently whether the body and blood aforesaid is there really or figuratively, locally or circumscriptly, and having quantity and greatnes, or but substantially and by substance only, or els but in a figure and manner of speaking; whether his blessed body be there, head, leggs, armes, toes and nails, or any other ways, shape and manner, naked or clothed; whether he is broken or chewed, or he is always whole; whether the bread there remaineth as we se, or how it departeth; whether the flesh be there alone, and the blood, or part, or ech in other, or in th'one both, in th'other but only blood; and what blood; that only which did flow out of the side, or that which remained: with other such irreverent, superfluous, and curious questions, which, how and what, and by what means, and in what forme, may bring into them, which of human and corrupt curiosity hath desire to search out such mysteries as lyeth hid in the infinite and bottomless depth of the wisdom and glory of God, and to the which our humain imbecillity cannot attain: and therefore oftymes turneth the same to their own and others destruction by contention and arrogant rashnes, which simple and christian affection reverently receiving and obediently beleving without further search, taketh and useth to most great comfort and profit.

For reformation whereof, and to th'intent that further contention, tumult and question might not rise amonges the king's subjects, the king's highnes, by th'advice of the lord protector, and other his majestie's counsell, straitly willeth and commandeth, that no mannor person from henceforth do in any wise contentiously and openly argue, dispute, reason, preach or teach, affirming any more termes of the said blessed sacrament, than be expressely taught in the holy scripture, and mentioned in the foresaid act; nor deny none which be therein contained and mentioned, until such tyme as the king's majesty, by th'advice of his highnes council and the clergy of this realme, shal define, declare and set furthe an open doctrine therof, and what termes and words may justly be spoken therby, other then be expressely in the scripture contained in the act before rehearsed.

In the mean while the king's highnes pleasure is, by th'advice aforesaid, that every his loving subjects shall devoutly and reverently affirm and take that holy bread to be Christ's body, and that cup to be the cup of his holy blood, according to the purport and effect of th'holy

scripture contained in th'act before expressed, and accommodate theimself rather to take the same sacrament worthily, than rashly to entre into the discussing of the high mystery thereof.

Yet the king's highnes mindeth not hereby to let or stop the ignorant and willing to learn; reverently or privatly to demaund of those whom he thynketh knoweth more the further instruction and teaching in the said blessed sacrament: so that the same be not done with contention, nor in open audience, with a company gathered together about them, nor with tumult: nor doth prohibite any man hereby likewise so quietly, devoutly and reverently to teach or instruct the weak and unlearned, according to the more talent and learning gyven to hym of God. But only, that al contention, strife and tumult, and irreverentnes might be avoyded, and in open audience and preaching nothing taught, but which may have the holy scripture for warrant.

Upon pain that whosoever shal openly with contention or tumult, and in a company gathered together, either in churches, alehouses, markets, or elsewhere, contrary to the fourm and effect of this proclamation, defend and maintein, or irreverently and contentiously demaund of any man, any of the questions before rehearsed, either on the one part, or of the other, or any such like, or do otherwise revile, contempne or despise the said sacrament, by calling it an idol, or other such vile name, shal incurre the kyng's high indignation, and suffre imprisonment, or to be otherwise grievously punished at his majesties will and pleasure.

Gevyng further in authority to al justices of peace within the shires where they dwel, to apprehend and take al such as contentiously and tumultuously, with companies or routs assembled about them, do dispute, argue or reason, or stilly maintein, or openly preach and define the questions before rehearsed, or any of them, or such like, either on th'one part or th'other, and to commit the same to prison, untill such tyme as the king's majesty's pleasure herein be known; and that they immediately do certify the name or names of the party so offendyng, and of them who were there at the same tyme present making the rout or assemble to the king's highnes counsel: willyng and commaunding the said justices, with al diligence to execute the premises according to the purport, effect, and true meaning of the same, and their most bound duties, as they tender his highnes wil and pleasure, and wil answer to the contrary upon their peril.

Papae Rom.
PAUL. III. 14.Archiepisc. Cant.
THO. CRANMER. 16.Anno Christi.
1547.Reg. Angliae.
EDWARD. VI. 1.*A proclamation for the absteyning from flesh in the lent time. Dated the 16th day of January, anno reg. prim.*

THE king's highnes, by the advice of his most entirely beloved uncle, Edward duke of Somerset, governor of his person and protector of all his realms, dominions and subjects, and other of his privy council; considering, that his highnes hath not only cure and charge of the defence of his realms and dominions, as a king, but also as a christian king and supreme head of the church of England and Ireland, a desire, wil and charge to lead and instruct his people, to him committed of God, in such rites, ways and customs, as might be acceptable to God, and to the further encrease of good living and vertue; and that his subjects now having a more perfect and clear light of the gospel, and true word of the Lord, thorow the infinite clemency and mercy of almighty God, by the hands of his majesty and his most noble father of famous memory, promulgate, shewed, declared and opened unto them, should and ought thereby in al good works and vertues increase, be more forward and diligent and plentiful, as in fasting, prayer and almose deeds, in love, charity, obedience, and other such good works commaunded to us of God in his holy scripture: yet his highnes is advertised and informed, that diverse of his subjects be not only to al these more slow and negligent, but rather contemptners and despisers of such good and godly acts and deeds, to the which if they were of their own minds bended and inclined, they needed not by outward and princely power be appointed and commaunded. But forsomuch as at this tyme, now alate, more then at any other tyme, a great part of his subjects do break and contempne that abstinence, which of long tyme hath been used in this his majestie's realm, upon the fridays and saturdays, and the tyme commonly called lent, and other accustomed tymes; his highnes is constreined to se a convenient order herein set and appointed: not mindyng thereby, that his subjectes should thynk any difference to be in the days or meats, or that th'one should be to God more holy, more pure, or more clean, then th'other; for al days and al meats be of one and equal purity, cleannes and holines, that we should in them, and by them live to the glory of God, and at al tymes, and for al meats, geve thanks unto hym, of the which none can defile us at any tyme, or make us unclene; being christian men, to whom al things be holy and pure, so that they be not used in disobedience and vice: but his majesty hath allowed and approved the days and tymes before accustomed, to be continued and still observed here in this church of England, both that men should on those days abstain and forbear their pleasures, and the meats wherein they have more delight, to th'intent to subdue their bodies unto the soul and spirit; unto the which to exhort and move men is the

office of a good and godly hed and ruler. And also for worldly and civil policy, certain days in the yere to spare flesh and use fish for the benefit of the commonwealth, and profit of this his majesties realm, wherof many be fishers and men using that trade of living, unto the which this realm, on every part environed with the seas, and so plentiful of fresh waters, doth easily minister occasion, to the great sustinaunce of this his highnes people. So that hereby both the nourishment of the land might be encreased by saving flesh, and specially at the spring tyme, when lent doth commonly fal, and when the most common and plenteous breedyng of flesh is. And also divers of his loving subjects have good lyvyngs, and get great riches therby, in uttering and selling such meats as the sea and fresh water doth minister unto us: and this his majestie's realm hath more plenty of ships, boats, craves and other vessels, by reason of those which by hope of lucre do follow that trade of lyvyng.

Wherefore his majesty, having consideration, that where men of their own mynds do not geve themselves, so oft as they should do, to fastyng, a common abstinence may and should be by the prince enjoyned and commaunded; and having an eyand mind to the profit and commodity of his realm and subjects, and to a common and civil policy, hath willed and commaunded; and by these presents doth wil and commaund, by th'advice aforesaid, al maner of person and persons, of what estate, degree, or condition, he or they be (other then such as already be, or hereafter shal be, excused by law, or licensed or authorized sufficiently to the contrary) to observe and keep from hencefurth such fastyng days, and the time commonly called lent, in absteyning from al maner of flesh, as heretofore in this realm hath been most commonly used and accustomed: upon pain, that whosoever shal, upon any day heretofore wont to be fasted from flesh, and not by the king's highnes or his predecessors abrogate and taken away, eat flesh contrary to this proclamation, shal incurr the king's high indignation, and shal suffre imprisonment, and be otherwise grievously punished at his majestie's wil and pleasure. And further the king's highnes, by th'advice aforesaid, straitly chargeth and commaundeth al maiors, bailiffs and other head-officers, and rulers of cities and towns, and al justices of peace in the sheres where they be in commission, to be attendant and diligent to the execution of this proclamation, in committing to prison the offenders contrary to the proclamation, upon sufficient proof thereof by two sufficient witnesses, before them had and made: there to remain during the king's pleasure, according to the true purport, effect and meaning of the same, as they tender the king's majestie's wil

wil and pleasure, and will answer the contrary at their peril. And where the late king of most famous memory, father to his highnes, hath geven divers yeres licence to his subjects in the tyme of lent to eat butter, chese, and other meats, commonly called white meats, the king's highnes, by th'advice aforesaid, considering the same to have been done not without

great considerations, doth geve likewise licence and authority to al his loving subjects from hencefurth freely for ever in the tyme of lent, or o-ther prohibited tymes by law or custom, to eat butter, eggs, chese and other white meats, any law, statute, act or custome to the contrary notwithstanding.

Papae Rom.
PAUL. III. 14.

Archiepisc. Cant.
THO. CRANMER. 16.

Anno Christi
1547.

Reg. Angliae
EDWARD. VI. 2.

A proclamation against those that do innovate, alter, or leave down any rite or ceremony in the church of their private authority, and against them which preach without licence, set forth the sixth day of February, in the second year of the king's majesty's most gracious reign. Ex reg. Cranm. fol. 111. et Burnet hist. reform. vol. 2. app. p. 128.

THE king's majesty by the advice of his most entirely beloved uncle the duke of Somerset, governour of his most royal person, and protector of all his realms, dominions, and subjects, and others of his council, considering nothing so much to tend to the disquieting of this realm as diversity of opinions and variety of rites and ceremonies concerning religion and worshipping of almighty God; and therefore studying all the ways and means, which can be, to direct this church and the cure committed to his highness, in one and most true doctrine, rite and usage: yet is advertised that certain private curates, preachers, and other laymen contrary to their bounden duties of obedience, do rashly attempt of their own and singular wit and mind, in some parish churches and otherwise, not only to persuade the people from the old and accustomed rites and ceremonies, but also themselves bring in new orders every one in their church, according to their phantasies; the which, as it is an evident token of pride and arrogance, so it tendeth both to confusion and disorder, and also to the high displeasure of almighty God, who loveth nothing so much as order and obedience. Wherefore his majesty straitly chargeth and commandeth, that no manner of person, of what estate, order, or degree soever he be, of his private mind, will, or phantasie do omit, leave done, change, alter or innovate any order, rite or ceremony commonly used and frequented in the church of England, and not commanded to be left undone at any time, in the reign of our late sovereign lord, his highness father, other than such as his highness, by the advice aforesaid, by his majesty's visitors, injunctions, statutes, or proclamations hath already or hereafter shall command to be omitted, left, innovated or changed; but that they be observed after that sort, as before they were accustomed, or else now sith prescribed by the authority of his majesty, or by the means aforesaid, upon pain, that whosoever shall offend contrary to this proclamation, shall incur his highness indignation, and suffer imprisonment and other grievous punishment, at his majesties will and pleasure. Provided always, that for not bearing a candle upon candlemasday, not taking ashes upon ashwednesday, not bearing palm upon

palm Sunday, not creeping to the cross, not taking holy bread or holy water, or for omitting other such rites and ceremonies concerning religion, and the use of the church, which the most reverend father in God the archbishop of Cant. by his majesty's will and commandment with the advice aforesaid hath declared, or hereafter shall declare to the other bishops by his writing under seal, as heretofore hath been accustomed, to be omitted or changed; no man hereafter be imprisoned nor otherwise punished, but all such things to be reputed for the observation, and following of the same, as though they were commanded by his majesty's injunctions. And to the intent, that rash and seditious preachers should not abuse his highness people, it is his majesty's pleasure, that whosoever shall take upon him to preach openly in any parish church, chapel, or any other open place other than those, which be licensed by the king's majesty, or his highness visitors, the archbishop of Canterbury, or the bishops of the dioceses, where he do preach, except he be the bishop, parson, vicar, dean, warden, or provost, in his or their own cure, shall be forthwith, upon such attempt and preaching contrary to this proclamation, committed to prison, and there remain until such time as his majesty, by the advice aforesaid, hath taken order for the further punishment of the same. And that the premisses should be more speedily and diligently done and performed, his highness giveth straitly in commandment to all justices of peace, mayors, sheriffs, constables, headboroughs, church wardens, and all other his majesties officers and ministers and rulers of towns, parishes, and hamlets, that they be diligent and attendant to the true and faithful execution of this proclamation, and every part thereof, according to the intent, purport and effect of the same. And that they of their proceedings herein, or if any offender be, after they have committed the same to prison, do certify his highness, the lord protector, or his majesty's council with all speed thereof, accordingly as they tender his majesty's pleasure, the wealth of the realm, and will answer to the contrary at their utmost perils.

God save the king.
The

Papae Rom.
PAUL. III. 14.Archiepisc. Cant.
THO. CRANMER. 16.Anno Christi
1547.Reg. Angliae
EDWARD. VI. 2.*The archbishop's letter to the bishop of London against candles, and aske, and palmes in churches.* Ex reg. Bonn. fol. 110.

THIS is to advertise your lordship, that my lord protector's grace, with advice of others the king's majesty's council, for certain considerations them thereunto moving, hath fully resolved, that no candles should be boren upon candlemasday, nor also from henceforth ashes or palmes used any longer. Wherefore I beseech your lordship to cause admonition thereof to be given in all parish churches throughout your diocese with all celerity: and likewise unto all

other bishops, that be hereabouts, that they may do the semblable in their dioceses before candlemasday. And as for other bishops, that cannot have knowledge so soon, you may give them knowledge hereof at more leisure, so that it be done before ashwednesday. Thus fare your lordship well, your loving friend,

T. CANTUAR.

Lambeth Jan. 27. 1547.

Mandatum ad amovendas et delendas imagines. Ex reg. Cranmer fol. 32. a.

THOMAS permissione divina Cantuariensis archiepiscopus, totius Angliae primas et metropolitanus, per illustrissimum in Christo principem, et dominum nostrum dominum Edwardum sextum Dei gratia Angliae, Franciae et Hiberniae regem, fidei defensorem, et in terra ecclesiae Anglicanae et Hibernicae supremum caput, sufficienter et legitime auctorizatus; venerabili confratri nostro domino Edmundo eadem permissione Londoniensi episcopo, vestro vicario in spiritualibus generali et officiali principali, salutem et fraternam in Domino charitatem. Literas missivas clarissimorum et prudentissimorum dominorum de privato consilio suae regiae majestatis manibus subscriptas, nobis inscriptas et directas nuper recepimus, tenorem subsequentem complectentes.

After our right hartye recommendations to your good lordship; where now of late in the king's majestie's visitation, amonge other godlye injunctions commaunded to be generally observed throughe all partes of this his highnes realme, one wes set forth, for the taking downe of all suche images, as had at any tyme ben abused with pilgrimages, offeringes or censinges; albeit that this said injunction hathe in many partes of the realme ben wel and quyetye obeyed and executed, yet in many other places muche stryfe and contentyon hath rysen and dayly ryseth, and more and more encreaseth, about the execution of the same, some men being so superstytious or rather wylfull, as they wold by theyr good wylls retayne all suche images styll, although they have been mooste manifestlye abused, and in some places also the images whiche by the saide injunctions were taken downe, be now restored and set up againe, and almoste in every place ys contentyon for images, whether they have been abused or not; and whiles these men go about on both sides contentiouslye to obtaine theyr mindes, contending whether this or that image hath been offered unto, kyssed, censed, or otherwyse abused, parties have in some places ben taken in suche sorte, as further inconvenyence is very like to ensue, yf remedie be not provided in tyme:

considering therefore that almost in no places of this realme ys any fure quyetness, but where all images be hoolly taken away and pulled downe already, to the intent that all contentyon in everye parte of this realme for this matter may be clerely taken away, and that the lyvely images of Chryste shulde not contende for the deade images, whiche be things not necessary, and without whiche the churches of Christ continued most godlye many yeres. We have thought good to signify unto you, that his highnes pleasure with th' advyse and consent of us the lord protectour and the reste of the counsell ys, that immediately upon the sight herof, with as convenyent diligence as you maye, you shall not onelye gyve ordre, that all the images remayninge in any churche or chappell within your diocese be removed and taken away, but also by your letters signifye unto the reste of the bishoppes within your provynce his highnesse pleasure for the lyke order to be gyven by them and every of them, within their severall dioceses; and in th' execution therof we requyre bothe you and the reste of the bishoppes foresayd, to use suche foresight as the same may be quyetye donne with as good satisfaction of the people as may be. Thus fare your goode lordeshippe well. From Somersett place the twenty first of February 1547. Your lordshipp's assured frendes, E. Somersett, Jo. Russell, Henricus Arundell, T. Seymour, Anthony Wyngesfelde, William Pagett. Quibus quidem literis pro nostro erga suam regiam majestatem officio, uti decet, obtemperare summo opere cupientes, vestrae fraternitati tenore praesentium committimus et regiae majestatis vice et nomine, quibus in hac parte fungimur, mandamus, quatenus attento diligenter literarum hujuscemodi tenore, omnibus et singulis confratribus coepiscopis nostris, et ecclesiae nostrae Christi Cantuariensis suffraganeis, cum ea qua poteritis celeritate accommoda praecipiat, ut ipsorum singuli in suis cathedralibus, nec non civitatum et dioecesum suarum parochialium ecclesiis, exposito publice literarum hujuscemodi tenore, omnia et singula in literis praefertis comprehensa, deducta et descripta, quatenus

quatenus eos concernunt, in omnibus et per omnia exequi et perimpleri, sedulo et accurate curent et fieri non postponant, sicque a vobis, frater charissime, in civitate et dioecesi vestris London, per omnia fieri et perimpleri volumus

et mandamus. Dat. in manerio nostro de Lambeth the vigesimo quarto die mensis Februarii, anno Domini juxta computationem ecclesiae Anglicanae 1547. Et nostrae consecrationis anno * 15.

Papae Rom.
PAUL. III. 14.

Archiepisc. Cant.
THO. CRANMER. 16.

Anno Christi
1547.

Reg. Angliae
EDWARD. VI. 2.

Articles to be enquired of in the visitations to be had within the diocese of Canterbury, in the second year of the reign of our dread sovereign lord Edward the sixth, by the grace of God king of England, France, and Ireland, defender of the faith, and in earth of the church of England and also of Ireland, the supreme head.

FIRST, Whether parsons, vicars and curates, and every of them have purely and sincerely, without colour or dissimulation, four times in the year at the least, preached against the usurped power, pretended authority, and jurisdiction of the bishop of Rome.

Item, Whether they have preached and declared likewise four times in the year at the least, that the king's majesty's power, authority and preeminence, within his realms and dominions, is the highest power under God.

Item, Whether any person hath by writing, cyphering, preaching, or teaching, deed or act obstinately holden, and stand with to extol, set forth, maintain or defend the authority, jurisdiction, or power of the bishop of Rome, or of his see heretofore claimed and usurped, or by any pretense, obstinately or maliciously, invented any thing for the extolling of the same, or any part thereof.

Item, Whether in their common prayers they use not the collects made for the king, and make not special mention of his majesty's name in the same.

Item, Whether they do not every Sunday and holy day, with the collects of the English procession, say the prayer set forth by the king's majesty for peace between England and Scotland.

Item, Whether they have not removed, taken away and utterly extincted and destroyed in their churches, chappels, and houses, all images, all shrines, coverings of shrines, all tables, candlesticks, trindles, or rolls of wax, pictures, paintings, and all other monuments of feigned miracles, pilgrimages, idolatry, and superstition, so that there remain no memory of the same in walls, glass windows, or elsewhere.

Item, Whether they have exhorted, moved and stirred their parishioners to do the like in every of their houses.

Item, Whether they have declared to their parishioners the articles concerning the abrogation of certain superfluous holy days, and done their endeavour to persuade the said parishioners to keep and observe the same articles inviolably; and whether any of those abrogate days have been kept as holy days, and by whose occasion they were so kept.

Item, Whether they have diligently, duly,

and reverently ministred the sacraments in their cures.

Item, Whether they have preached, or caused to be preached purely and sincerely the word of God, in every of their cures, every quarter of the year, once at the least, exhorting their parishioners to works commanded by the scripture, and not to works devised by mens phantasies besides scripture, as wearing or praying upon beads, or such like.

Item, Whether they suffer any torches, candles, tapers, or any other lights to be in your churches, but only two lights upon the high altar.

Item, Whether they have not every holy day, when they have no sermon, immediately after the gospel, openly, plainly and distinctly, recited to the parishioners in the pulpit, the "Pater noster," the creed, and the ten commandments in English.

Item, Whether every Lent they examine such persons as come to confession to them, whether they can recite the "Pater noster," the articles of our faith, and the ten commandments in English.

Item, Whether they have charged fathers and mothers, masters and governors of youth, to bring them up in some virtuous study and occupation.

Item, Whether such beneficed men, as be lawfully absent from their benefices, do leave their cure to a rude and unlearned person, and not an honest, well learned and expert curate, which can and will teach you wholsom doctrine.

Item, Whether in every cure they have, they have provided one book of the whole bible of the largest volume in English, and the paraphrasis of Erasmus also in English upon the gospels, and set up the same in some convenient place in the church, where their parishioners may most commodiously resort to the same.

Item, Whether they have discouraged any person from reading of any part of the bible, either in Latin or in English, but rather comforted and exhorted every person to read the same, as the very lively word of God, and the special food of mans soul.

Item, Whether parsons, vicars, curates, and

other

other priests, be common haunters and resorters to taverns or alehouses, giving themselves to drinking, rioting or playing at unlawful games, and do not occupy themselves in the reading or hearing of some part of holy scripture, or in some other godly exercise.

Item, Whether they have admitted any man to preach in their cures, not being lawfully licensed thereunto, or have refused or denied such to preach, as have been licensed accordingly.

Item, Whether they which have heretofore declared to their parishioners, any thing to the extolling or setting forth of pilgrimages, relicks or images, or lighting of candles, kissing, kneeling, decking of the same images, or any such superstition, have not openly recanted and re-proved the same.

Item, Whether they have one book or register safely kept, wherein they write the day of every wedding, christning and burying.

Item, Whether they have exhorted the people to obedience to the king's majesty and his ministers, and to charity and love one to another.

Item, Whether they have admonished their parishioners, that they ought not to presume to receive the sacrament of the body and blood of Christ, before they can perfectly rehearse the "Pater noster," the articles of the faith, and the ten commandments in English.

Item, Whether they have declared, and to their wits and power have persuaded the people, that the manner and kind of fasting in lent, and other days in the year, is but a meer positive law, and that therefore all persons, having just cause of sickness, or other necessity, or being licensed by the king's majesty, may moderately eat all kind of meats without grudge or scruple of conscience.

Item, Whether they be resident upon their benefices, and keep hospitality or no; and if they be absent, or keep no hospitality, whether they do make due distributions among the poor parishioners or not.

Item, Whether parsons, vicars, clerks, and other beneficed men, having yearly to dispend an hundred pound, do not find competently one scholar in the university of Cambridge or Oxford, or some grammar school, and for as many hundred pounds as every of them may dispend, so many scholars likewise to be found by them, and what be their names that they so find.

Item, Whether proprietaries, parsons, vicars and clerks, having churches, chappels or man-sions, do keep their chancels, rectories, vicarages, and all other houses appertaining to them in due reparations.

Item, Whether they have counselled or moved their parishioners, rather to pray in a tongue not known, than in English, or to put their trust in a prescribed number of prayers, as in saying over a number of beads, or other like.

Item, Whether they have read the king's majesty's injunctions every quarter of the year, the first holy day of the same quarter.

Item, Whether the parsons, vicars, curates,

and other priests being under the degree of a batchelor of divinity, have of their own the new testament both in Latin and English, and the paraphrase of Erasmus upon the same.

Item, Whether within every church he that ministreth hath read or cause to be read the epistle and gospel in English, and not in Latin, either in the pulpit or some other meet place, so as the people may hear the same.

Item, Whether every funday and holy day at matins they have read or cause to be read, plainly and distinctly in the said place, one chapter of the new testament in English, immediately after the lessons, and at even song after "magnificat," one chapter of the old testament.

Item, Whether they have not at matins omitted three lessons when nine should have been read in the church, and at even song the responds with all the memories.

Item, Whether they have declared to their parishioners, that saint Marks day, and the evens of the abrogate holy days should not be fasted.

Item, Whether they have the procession book in English, and have said or sung the said litany in any other place but upon their knees in the midst of their church; and whether they use any other procession, or omit the said litany at any time, or say it or sing it in such sort, as the people cannot understand the same.

Item, Whether they have put out of their church books this word "papa," and the name and service of Thomas Becket, and prayers having rubricks, containing pardons or indulgences, and all other superstitious legends and prayers.

Item, Whether they bid not the beads according to the order appointed by the king's majesty.

Item, Whether they have opened and declared unto you the true use of ceremonies (that is to say) that they be no workers nor works of salvation, but only outward signs and tokens, to put us in remembrance of things of higher perfection.

Item, Whether they have taught and declared to their parishioners, that they may with a safe and quiet conscience in the time of harvest, labour upon the holy and festival days, and if superstitiously they abstain from working upon those days, that then they do grievously offend and displease God.

Item, Whether they have admitted any persons to the communion, being openly known to be out of charity with their neighbors.

Item, whether the deans, archdeacons, masters of hospitals, and prebendaries, have preached by themselves personally twice every year at the least.

Item, Whether they have provided, and have a strong chest for the poor mens box, and set and fastened the same near to their high altar.

Item, Whether they have diligently called upon, exhorted and moved their parishioners, and specially when they make their testaments, to give to the said poor mens box, and to bestow that upon the poor chest, which they were wont to bestow upon pardons, pilgrimages, trentals,

trentals, masses satisfactory, decking of images, offering of candles, giving to friers, and upon other like blind devotions.

Item, Whether they have denied to visit the sick, or bury the dead being brought to the church.

Item, Whether they have bought their benefices, or come to them by fraud or deceit.

Item, Whether they have every Sunday, when the people be most gathered, read one of the homilies, in order as they stand in the book, set forth by the king's majesty.

Item, Whether they do not omit prime and hours, when they have any sermon or homily.

Item, Whether they have said or sung any mass, in any oratory, chappel, or any man's house, not being hallowed.

Item, Whether they have given open monition to their parishioners that they should not wear beads, nor pray upon them.

Item, Whether they have moved their parishioners, lying upon their death beds, or at any other time, to bestow any part of their substance upon trentals, masses satisfactory, or any such blind devotions.

Item, Whether they take any trentals or other masses satisfactory to say or sing for the quick or the dead.

Item, Whether they have given open monition to their parishioners to detect and present to their ordinary all adulterers and fornicators, and such men as have two wives living, and such women as have two husbands living within their parishes.

Item, Whether they have not monished their parishioners openly, that they should not sell, give, nor otherwise alienate any of their churches goods.

Item, Whether they, or any of them do keep more benefices, and other ecclesiastical promotions than they ought to do, not having sufficient license and dispensations thereunto, and how many they be, and their names.

Item, Whether they minister the communion any other ways than only after such form and manner as is set forth by the king's majesty in the book of the communion.

Item, Whether they hallowed and delivered to the people any candles upon candlemasday, and ashes upon ashwednesday, or any palms upon palmsunday last past.

Item, Whether they had upon goodfriday last past, the sepulchres with their lights, having the sacrament therein.

Item, Whether they upon easter even last past hallowed the font, fire or paschal, or had any paschal set up, or burning in their churches.

Item, Whether your parsons and vicars have admitted any curates to serve their cures, which were not first examined and allowed either by my lord of Canterbury, master archdeacon, or their officers.

Item, Whether you know any person within your parish, or elsewhere, that is a letter of the word of God to be read in English, or sincerely preached, or of the execution of the king's majesty's injunctions, or other his majesty's pro-

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ceedings in matters of religion.

Item, Whether every parish have provided a chest with two locks for the book of wedding, christning and burying.

Item, Whether in the time of the litany, or any other common prayer in the time of the sermon or homily, and when the priest readeth the scripture to the parishioners, any person have departed out of the church without a just and necessary cause.

Item, Whether any bells have been knowled or rung at the time of the premisses.

Item, Whether any person hath abused the ceremonies, as in casting holy water upon his bed, or bearing about him holy bread, St. John's gospel, ringing of holy bells, or keeping of private holy days, as taylor, bakers, brewers, smiths, shoemakers, and such other.

Item, Whether the money coming and rising of any cattle, or other moveable stocks of the church, and money given or bequeathed to the finding of torches, lights, tapers or lamps (not paid out of any lands) have not been employed to the poor mens chest.

Item, Who hath the said stocks and money in their hands, and what be their names.

Item, Whether any undiscreeet persons do uncharitably contemn and abuse priests and ministers of the church.

Item, Whether they that understand not the Latin do pray upon any primer, but the English primer, set forth by the king's majesty's authority; and whether they that understand Latin, do use any other than the Latin primer, set forth by like authority.

Item, Whether there be any other grammar taught in any other school within this diocese, than that which is set forth by the king's majesty.

Item, Whether any person keep their church holy day, and the dedication day, any otherwise, or at any other time than is appointed by the king's majesty.

Item, Whether the service in the church be done at due and convenient hours.

Item, Whether any have used to commune, jangle, and talk in the church in the time of the common-prayer, reading of the homily, preaching, reading or declaring of the scripture.

Item, Whether any have wilfully maintained and defended any heresies, errors or false opinions, contrary to the faith of Christ, and holy scripture.

Item, Whether any be common drunkards, swearers or blasphemers of the name of God.

Item, Whether any have committed adultery, fornication, or incest, or be common bawds, and receivers of such evil persons, or vehemently suspected of any of the premisses.

Item, Whether any be brawlers, slanderers, chiders, scolders, and sowers of discord between one person and another.

Item, Whether you know any that use charms, forcery, enchantments, witchcraft, soothsaying, or any like craft invented by the devil.

Item, Whether the churches, pulpits, and other

H

26 *Articles to be enquired of in the diocese of CANTERBURY.*

other necessities appertaining to the same, be sufficiently repaired.

Item, Whether you know any that in contempt of your own parish church, do resort to any other church.

Item, Whether any inholders or alehouse keepers do use commonly to sell meat and drink in the time of common prayer, preaching, or reading of the homilies, or scripture.

Item, Whether you know any to be married within the degrees prohibited by the laws of God, or that be separated or divorced without a just cause, allowed by the law of God, and whether any such have married again.

Item, Whether you know any to have made privy contracts of matrimony, not calling two or more thereunto.

Item, Whether they have married solemnly,

the banns not first lawfully asked.

Item, Whether you know any executors or administrators of dead mens goods, which do not bestow such of the said goods, as were given and bequeathed, or appointed to be distributed among the poor people, repairing of high ways, finding of poor scholars, or marrying of poor maids, or such other like charitable deeds.

Item, Whether any do contemn married priests, and for that they be married, will not receive the communion or other sacraments at their hands.

Item, Whether you know any that keep in their houses undefaced, any abused or feigned images, any tables, pictures, paintings, or other monuments of feigned miracles, pilgrimages, idolatry, or superstition.

Papae Rom.
PAUL. III. 14.

Archiepisc. Cant.
THO. CRANMER. 16.

Anno Christi
1547.

Reg. Angliae
EDWARD. VI. 2.

Convocatio Eboracensis.

CONVOCATIO praelatorum et cleri provinciae Ebor. auctoritate brevis regii dat. Westm. 22. die Augusti, ad diem sabbati, viz. quintum mensis Novembris in ecclesia metropolitana Ebor. comparens per aliud breve ad 23 diem ejusdem mensis, inde ad 20 diem Januarii sequent. pro-

rogata fuit. Habet hoc reg. dec. et cap. Ebor. fol. 42. b. et reg. archiep. Ebor. In registro decani et capituli Ebor. fol. 46. sequ. adduntur injuncti-ones decano et cap. Ebor. a commissariis regiis directae.

Papae Rom.
PAUL. III. 14.

Archiepisc. Cant.
THO. CRANMER. 16.

Anno Christi
1548.

Reg. Angliae
EDWARD. VI. 2.

Convocatio Cantuariensis. Ex reg. Cranmer. fol. 12.

CONVOCATIO praelatorum et cleri provinciae Cant. ad xxi. diem mensis Aprilis prorogata, ab eo sine die prorogabatur: tandem xv.

mensis Martii per aliud breve ad quartum diem mensis Novembris continuabatur.

In provincia Eboracensi convocatio

PRÆLATORUM et cleri ad xxi. diem mensis Aprilis prorogata, ab eo die in sextum

diem Octobris seq. continuabatur; testante reg. Ebor.

A letter from the lords of counseil for prayers on sundays and holy days. Ex reg. Cranm. fol. 25. b.

AFTER our hartie commendations to youre goodde lordeshippe; hearinge tell of greate preparation made of forayne princes, and otherwyse being inforced for the procurement and continuance of peace to make preparation for warre, for so moche, as all power and aide vailable comithe of Godde, the which he graunte the as he hath promised by his holy worde, by nothinge so moche, as by hartie prayer of goode menne, the whiche is also of more efficacie made of an holie congregation togethir gathered in his holy name; therefore this is to will and require youe to gyve advertisement and commaundment to all the curates in your diocese, that everie fonday and holy day in there common prayer,

they make devout and hartie intercession to almightie God for victorie and peace, and to th'entente that you sholde not be in doubte what sorte and manner therof we do lyke, we have sente unto youe one, the whiche we wolde that youe and they sholde followe, and rede it instede of one of the collectes of the king's majesties proceffion. Thus we praye youe not to fayle to do wythe all spede, and bid you farewell. From Westminster the sixth of May 1548. youre loving freinds, E. Somerset, R. Riche, can. W. Seint John, J. Russell, Thomas Cheyney.

To oure veray goode lord the archebishopp of Canterburie.

A let-

Papae Rom.
PAUL. III. 14.

Archiepisc. Cant.
THO. CRANMER. 16.

Anno Christi
1548.

Reg. Angliae
EDWARD. VI. 2.

A letter sent to all those preachers which the king's majesty hath licensed to preach from the lord protectors grace, and other of the king's majesty's most honourable council, the 13th day of May, in the second year of the reign of our sovereign lord king Edward VI. Ex Burnet hist. reform. vol. 2. app. pag. 130.

AFTER our right hearty commendations, as well for the conservation of the quietness and good order of the king's majesty's subjects, as that they should not by evil and unlearned preachers be brought unto superstition, error, or evil doctrine, or otherwise be made stubborn and disobedient to the king's majesty's godly proceedings; his highness, by our advice, hath thought good to inhibit all manner of preachers, who have not such license as in the same proclamation is allowed, to preach or stir the people in open and common preachings of sermons, by any means, that the devout and godly homilies might the better in the mean while sink into his subjects hearts, and be learned the sooner, the people not being tossed to and fro with seditious and contentious preaching, while every man according to his zeal, some better, some worse, goeth about to set out his own phantasie, and to draw the people to his opinion. Nevertheless it is not his majesty's mind, hereby clearly to extinct the lively teaching of the word of God by sermons made after such sort, as for the time the Holy Ghost shall put into the preachers mind; but that rash, contentious, hot and undiscreeet preachers should be stopped, and that they only, which be chosen and elect, be discreet and sober men, should occupy that place which was made for edification and not for destruction, for the honour of God and peace, and quietness of conscience, to be set forward, not for private glory to be advanced, to appease, to teach, to instruct the people with humility, and patience, not to make them contentious and proud, to instil into them their duty to their heads and rulers, obedience to laws and orders, appointed by the superiors, who have rule of God, nor that every man should run before their heads hath appointed them what to do, and that every man should chuse his own way in religion. The which thing yet being done of some men, and they being rather provoked thereto by certain preachers, than dehorted from it, it was necessary to set a stay therein. And yet forasmuch as we have a great confidence and trust in you, that you will not only preach truly and sincerely the word of God, but also will use circumspection and moderation in your preaching, and such godly wisdom, as shall be necessary and most convenient for the time and place, we have sent unto you the king's majesty's licence to preach, but yet with this exhortation and admonishment, that in no wise you do stir and provoke the people to any alteration or innovation, other than is already set forth by the king's majesty's injunctions, homilies, and proclamations; but contrariwise, that

you do in all your sermons exhort men to that which is at this time more necessary, that is, to the emendation of their own lives, to the observance of the commandments of God, to humility, patience and obedience to their heads and rulers, comforting the weak and teaching them the right way, and to flee all old, erroneous superstitions, as the confidence in pardon, pilgrimages, beads, religious images, and other such of the bishop of Rome's traditions and superstitions, with his usurped power, the which thing be here in this realm most justly abolished; and straitly rebuking those, who of an arrogancy and proud hastiness will take upon them to run before they be sent, to go before the rulers, to alter and change things in religion without authority, teaching them to expect and tarry the time which God hath ordained to the revealing of all truth, and not to seek so long blindly and hidlings after it, till they bring all orders into contempt. It is not a private man's duty to alter ceremonies, to innovate orders in the church, nor yet it is not a preacher's part to bring that into contempt and hatred, which the prince doth either allow or is content to suffer. The king's highness by our advice, as a prince most earnestly given to the true knowledge of God, and to bring up his people therein, doth not cease to labour and travail by all godly means, that his realm might be brought and kept in a most godly and christian order, who only may and ought to do it; why should a private man or a preacher take this royal and kingly office upon him, and not rather, as his duty is, obediently follow himself, and teach likewise others to follow and observe that which is commanded? What is abolished, taken away, reformed and commanded it is easy to see by the acts of parliament, the injunctions, proclamations, and homilies; the which things most earnestly it behoveth all preachers in their sermons to confirm, and approve accordingly; in other things, which be not yet touched, it behoveth him to think, that either the prince did allow them, or else suffer them, and in those it is the part of a godly man, not to think himself wiser than the king's majesty and his council, but patiently to expect and to conform himself thereto, and not to intermeddle further to the disturbance of a realm, the disquieting of the king's people, the troubling of mens consciences, and disorder of the king's subjects.

These things we have thought good to admonish you of at this time, because we think you will set the same so forward in your preaching, and so instruct the king's majesty's people according to the most advancement of the glory of God,

God, and the king's majesty's most godly proceedings, that we do not doubt but much profit shall ensue thereby, and great conformity in the people, the which you do instruct, and so we pray you not to fail to do, and having a special regard to the weakness of the people, what they may bear and what is most convenient for the time, in no case to intermeddle in your sermons, or otherwise, with matters in con-

tention or controversion, except it be to reduce the people in them also to obedience, and following of such orders, as the king's majesty hath already set forth, and no other, as the king's majesty's and our trust is in you, and as you tender his highness will and pleasure, and will answer to the contrary at your peril.

Fare you well.

June 1. 1548.

Papae Rom.
PAUL. III. 14.

Archiepisc. Cant.
THO. CRANMER. 16.

Anno Christi
1548.

Reg. Angliae
EDWARD. VI. 2.

The protectors letter to Gardener concerning the points he was to handle in his sermon. Ex MS. coll. Corp. Chr. Cantab. apud Burnet. l. c. p. 154.

WE commend us unto you; we sent to you yesterday, our servant William Cecil to signify unto you our pleasure and advice, that you should in this your next sermon forbear to entreat upon those principal questions, which remain among the number of learned men in this realm as yet in controversy, concerning the sacrament of the altar and the mass, as well for that private argument or determination therein might offend the people, naturally expecting decisions of litigious causes, and thereby discord and tumult arise, the occasions whereof we must necessarily prevent and take away, as also for that the questions and controversies rest at this present in consultation, and with the pleasure of God shall be in small time by publick doctrine and authority quietly and truly determined. This message we send to you, not thinking but your own wisdom had considered so much in an apparent matter or at the least upon our remembrance, ye would understand it and follow it with good will, consulting thereby your own quiet, in avoiding offence, as observing our pleasure in avoiding contention. Your answer thereunto our said servant hath declared unto us in this manner. Ye can no wise forbear to speak of the sacrament, neither of the mass; this last being the chief foundation, as ye say, of our religion, and that without it we cannot know, that Christ is our sacrifice; the other being so spoken of by many, that if you should not speak your mind thereof, what ye think, you know what other men would think of you; in the end concluding generally, that you will speak the truth, and that ye doubt not, but that we shall be therewith content, adding also, as our said servant reporteth unto us, that you would not wish, that we our selves should meddle or have to do in these matters of religion, but that the care thereof were committed to you the bishops, unto whom the blame, if any should

be deserved, might well be imputed. To this your answer, if so it be, we reply very shortly, signifying unto you our express pleasure and commandment, on our sovereign lord the king's majesty's behalf; charging you by the authority of the same, to abstain in your said sermon, from treating of any matter in controversy, concerning the said sacrament, and the mass; and only to bestow your speech in the expert explication of the articles prescribed unto you; and in other wholesome matters of obedience of the people and good conversation and living; the same matters being both large enough for a long sermon, and not unnecessary for the time. And the treaty of other, which we forbid you not meet in your private sermon to be had, but necessarily reserved for a publick consultation, and at this present utterly to be forbore for the common quiet.

This our express pleasure, wherein we know how reasonably we may command you, and you (we think) know how willingly ye ought to obey us: for our intermeddling with these causes of religion, understand you, that we account it no small part of our charge, under the king's majesty to bring his people from ignorance to knowledge, and from superstition to true religion; esteeming that the chief foundation to build obedience upon, and where there is a full consent of others the bishops and learned men, in a truth not to suffer you or a few other, with wilful headiness to dissuade all the rest. And although we presume not to determine articles of religion by our selves, yet from God we knowledge it, we be desirous to defend and advance the truth, determined or revealed, and so consequently we will not fail, but withstand the disturbers thereof. So fare you well.

From Sion, June
28, anno 1548.

Your loving friend
E. SOMERSET.

Papae Rom.
PAUL. III. 14.Archiepisc. Cant.
THO. CRANMER. 16.Anno Christi
1548.Reg. Angliae
EDWARD. VI. 2.

Injunctions given by the king's majesty's visitors to all and every the clergy and laity now resident within the deanry of Duncastre. Ex MS. Johnson apud Burnet hist. reform. vol. 2. app. pag. 126.

You shall not hereafter in the pulpit, or else where, on the Sunday or any other day, give knowledge to your parishioners, when or what day in the week any of the abrogate holy days were solemnized or kept in the church, but omit the same with silence, as other working days for the utter abolishing of the remembrance thereof.

Item, You shall teach your parishioners, that fasting in the lent and other days is a meer positive, that is to say, man's law, and by the magistrates upon considerations may be altered, changed, and dispensed with; and that therefore all persons having just cause of sickness or other necessity, or being licensed thereto, may temperately eat all kinds of meats without scruple or grudge of conscience.

Item, You shall every day, that an high mass is said or sung at the high altar, before the same mass read openly in your churches, the English suffrages, for the preservation and safeguard of the king's majesty's people, and prosperous success of his affairs.

Item, You shall every Sunday, at the time of your going about the church with holy water, into three or four places, where most audience and assembly of people is, for the declaration of the ceremonies, say distinctly and plainly, that your parishioners may well hear and perceive the same, these words: "remember Christ's blood shedding, by the which most holy sprinkling of all your sins you have free pardon." And in like manner before the dealing of the holy bread these words: "of Christ's body this is a token, which on the cross for our sins was broken; wherefore of his death if you will be partakers, of vice and sin you must be forsakers." And the clerk in the like manner shall bring down the paxe, and standing without the church door, shall say boldly to the people these words: "this is a token of joyful peace, which is betwixt God and mens conscience; Christ alone is the peace maker, which straitly commands peace between brother and brother." And so long as ye use these ceremonies, so long shall ye use these significations.

Item, The church wardens of every parish church shall some one Sunday, or other festival day, every month, go about the church and make request to every of the parish for their charitable contributions to the poor, and the sum so collected, shall be put in the chest of alms, for that purpose provided; and for as much as the parish clerk shall not hereafter go about the parish with his holy water, as hath been accustomed, he shall instead of that labour accompa-

ny the said church wardens, and in a book register the name and sum of every man that giveth any thing to the poor, and the same shall intable, and against the next day of collection shall hang up some where in the church, in open place, to the intent the poor having knowledge thereby, by whose charity and alms they be relieved, may pray for the increase and prosperity of the same.

Item, The church wardens for the better relief of honest poverty, shall upon sufficient surety found for the repayment of the same, lend to some young married couple, or some poor inhabitants of the parish, some part of the said alms, whereby they may buy some kind of stuff; by the working, sale, and gains whereof, they may repay the sum borrowed, and also well relieve themselves; or else the said church wardens to buy the stuff themselves and pay the poor for the working thereof, and after sale of the same, to return the sum with the gain to the said chest, there to remain to such like use.

Item, Forasmuch as heretofore you have not by any means, diligence or study advanced yourselves unto knowledge in God's word, and his scriptures, condignly as appertaineth to priests and dispensators of God's testament; to the intent you may hereafter be of better ability to discharge your selves towards God and your offices to the world, you shall daily for your own study and knowledge, read over diligently and weigh with judgment two chapters of the new testament, and one of the old in English, and the same shall put in ure and practice, as well in living as preaching, at times convenient, when occasion is given.

Item, Forasmuch as drunkenness, idleness, brawls, dissention, and many other inconveniences do chance between neighbor and neighbor, by the assembly of people together at wakes, and on the plough mundays; it is therefore ordered and enjoined, that hereafter the people shall use, make, or observe no more such wakes, plough mundays, or drawing of the same with any such assembly or rout of people, or otherwise, as hath been accustomed, upon pain of forfeiting to the king's highness forty shillings for every default, to be paid by the owner of the plough and householder, whereunto the said plough is drawn, or wakes are kept.

The names of the visitors,

Sir JOHN MARKHAM,	ROGER TONGUE,
JOHN HEARN,	WILL. MORETON,
THO. GARGRAVE,	EDM. FARELY.

Papae Rom.
PAUL. III. 14.Archiepisc. Cant.
THO. CRANMER. 16.Anno Christi
1548.Reg. Angliae
EDWARD. VI. 2.*A proclamation for the inhibition of all preachers; the second of Edward the sixth,*
Sept. 23. Ex Fuller ch. hist. lib. 7. pag. 388.

WHEREAS of late by reason of certain controversial and seditious preachers, the king's majesty moved of tender zeal and love, which he hath to the quiet of the subjects, by the advice of the lord protector, and other his highness council, hath by proclamation inhibited and commanded, that no manner of person, except such as was licensed by his highness, the lord protector, or by the archbishop of Canterbury, should take upon him to preach, in any open audience, upon pain in the said proclamation contained, and that upon hope and assurance, that those being chosen and elect men should preach and set forth only to the people such things, as should be to God's honour, and the benefit of the king's majesty's subjects; yet nevertheless his highness is advertised, that certain of the said preachers so licensed not regarding such good admonitions, as have been by the lord protector and the rest of the council on his majesty's behalf by letters or otherwise given unto them, have abused the said authority of preaching, and behaved themselves irreverently, and without good order in the said preachings, contrary to such good instructions and advertisements, as were given unto them, whereby much contention and disorder might rise and ensue in this his majesty's realm: wherefore his highness minding to see very shortly one uniform order throughout this his realm, and to put an end to all controversies in religion, so far as God should give grace (for which cause at this time certain bishops and notable learned men, by his highness commandment, are congregated) hath by the advice aforesaid, thought good, although certain and many of the said preachers

so before licensed, have behaved themselves very discreetly and wisely, and to the honour of God and to his highness contentation; yet at this present and until such time as the said order shall be set forth generally, throughout his majesty's realm, to inhibit and by these presents do inhibit generally as well the said preachers, so before licensed, as all manner of persons whosoever they be, to preach in open audience, in the pulpit or otherwise, by any sought colour or fraud, to the disobeying of this commandment, to the intent, that the whole clergy in this mean space might apply themselves to prayer to almighty God for the better achieving of the same most godly intent and purpose, not doubting but that also his loving subjects in the mean time will occupy themselves to God's honour, with due prayer in the church, and patient hearing of the godly homilies, heretofore set forth by his highness injunctions unto them, and so endeavour themselves that they may be the more ready with thankful obedience to receive a most quiet, godly and uniform order to be had throughout all his said realms and dominions; and therefore hath willed all his loving officers and ministers, as well justices of peace, as mayors, sheriffs, bailiffs, constables, or any other his officers, of what estate, degree, or condition soever they be, to be attendant upon this proclamation, and commandment, and to see the infringers or breakers thereof to be imprisoned, and his highness or the lord protector's grace, or his majesty's council to be certified thereof immediately, as they tender his majesty's pleasure, and will answer to the contrary at their peril.

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THO. CRANMER. 17.Anno Christi
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EDWARD. VI. 3.*Bishop Bonner's letter by command from the archbishop of Cant. to the bishops of the province of Cant. for abolishing the ceremonies of candles, ashes and palms.* Ex Fox. pr. edit. fol. 689.

My very good lord.

AFTER my most hearty commendations, these are to advertise your good lordship, that the lord of Cant. grace this present 28th of Jan. sent unto me his letters missive, containing this in effect. That my lord protector's grace with advice of other the king's majesty's honourable privy council (for certain considerations them moving) are fully resolved that no candles shall be born upon candlemas day, nor also from henceforth ashes or palms used any longer; requiring me thereupon by his said letters to cause

admonition and knowledge thereof to be given unto your lordship and other bishops with celerity accordingly. In consideration whereof I do send at this present these said letters to your good lordship, that you thereupon may give knowledge and advertisement thereof within your diocese, as appertaineth. Thus committing your good lordship to almighty God, as well to fare as your good heart can best desire.

Written in haste at my house in London, the said 28th of January, 1548.

Letter about an inventory for church goods.

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Letter about an inventory for church goods, Feb. 15th, 1548.

AFTER our most hearty commendations. Where the king's majesty hath been advertised, that a great number of his majesty's subjects, forgetting their bounden duties of obedience, have presumed contrary to his highness most dread commandments, to alien and sell away both the vestments, plate, jewels and ornaments, and in many places the bells and lead also of their churches and chapels, applying the money thereof either to their own uses, or to such other private uses as themselves listed; by occasion whereof much contention and variance hath and daily doth grow and arise in sundry places, among his majesty's loving subjects: his highness minding to have a speedy order and stay set herein in all places of his majesties dominions, hath by the advice and consent of us the lord protector and council, appointed you all joyntly and severally to be his majesty's commissioners within the county ——— for this purpose; for the better doing whereof his majesty's pleasure is, that assembling your selves together in some convenient place, within the said shire, and considering well the effect of these our letters, you do even thence out of hand take order for your division into such several hundred parts and quarters of the shire, as both for your own commodities and the speedier executing of the charge now committed to you, shall be thought most meet; and being divided you shall severally every number of you according to your allotments, call before you the parson or vicar, if he be resident, or else the curate and church wardens with three or four other of the discreetest and most substantial men of every parish within the circuit appointed unto you, and making a true and perfect inventory of all manner of vestments, ornaments, plate, jewels, and bells, belonging to every church, or chapel within your several precincts, you shall leave in every the said parishes one inventory so made, subscribed both with the hands of the commissioners for that part of the shire, and also with the hands of the said parsons, vicars, or in their absence, with the curates, church wardens, and other the honest men of every parish, as afore, and one other-like inventory subscribed, as before, to leave in the keeping of the "custos rotulorum" of the

shire, after the making of such inventory. His grace's further pleasure is, that you shall give in charge, on his highness behalf, to the said parsons, curate, and parishioners of every such church, that they presume not to alien, sell, or otherwise put away or give their assent to any such sale, alienation, or putting away of any of the said vestments, plate, jewels, bells, or other ornaments in any wise, but to see that the same be safely kept and preserved, as they will answer for the contrary at their utmost perils. And in case either any of them or any other of the parishioners of any such parish, shall after knowledge of his majesty's pleasure in this behalf, attempt any sale, gift, or alienation of any of the premises, that in that case the said parson, curate, church wardens and other honest men to give notice thereof, to such of you the justices of the peace, as dwell near the said parish; upon complaint or knowledge whereof by any other means, his majesty's pleasure is, that you the said justices, and every of you, shall take undelayed order for the stay of any such sale or alienation, and commit the chief attemptors thereof to prison for such time, as you shall think convenient. And for such plate, jewels, ornaments, bells, or lead as have been alienated contrary to his majesty's said commandments at any time, within one year before the date hereof (except the said alienation was made by the common consent of the parish, and the money thereof applyed to any common good use by the like assent) his majesty's pleasure is, you shall cause the said goods, plate, bells, &c. or the just value thereof, to be restored, and such as shall refuse to abide your order therein, to signify their names unto us, whereupon we shall give such further order, as shall appertain. And for your better instruction herein you may require of the bishops officers a copy of the inventories heretofore made for every parish in that shire. Finally his majesty's pleasure is, that after making the said inventories you shall make one short extract or abridgement only of the plate, and bells of every parish, and the same gathered together for that whole shire, send unto us with a further declaration of your doings in this behalf.

Letter missive from the council to the bishops of the realm, concerning the communion to be ministred in both kinds. Ex 2. Fox. p. 659.

AFTER our most hearty commendations unto your lordship. Where in the parliament late holden at Westminster it was amongst other things most godly established, that according to the first institution and use of the primitive church, the most holy sacrament of the body and blood of our saviour Jesus Christ, should be distributed to the people under the kinds of

bread and wine; according to the effect whereof the king's majesty minding with the advice and consent of the lord protector's grace, and the rest of the council, to have the said statute well executed in such sort, or like as is agreeable with the word of God (so the same may be also faithfully and reverently received of his most loving subjects, to their comforts and wealth)

wealth) hath caused sundry of his majesty's most grave and well learned prelates, and other learned men in the scripture, to assemble themselves for this matter, who after long conference together have with deliberate advice, finally agreed upon such an order to be used in all places of the king's majesty's dominions, in the distribution of the said most holy sacrament, as may appear to you by the book thereof, which we send herewith unto you; albeit knowing your lordships knowledge in the scriptures, and earnest good will and zeal to the setting forth of all things, according to the truth thereof, we be well assured you will of your own good will, and upon respect to your duty diligently set forth this most godly order here agreed upon, and commanded to be used by the authority of the king's majesty; yet remembring the crafty practice of the devil, who ceases not by his members to work by all ways and means the hindrance of all godliness; and considering furthermore, that a great number of the curates of the realm either for lack of knowlege cannot, or for want of good mind will not, be so ready to set forth the same, as we would wish, and as the importance of the matter and their own bounden duty requires, we have thought good to pray and require your lordship, and nevertheless in the king's majesty, our most dread lord's name, to command you to have an earnest diligence and careful respect both in your own person,

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and by all your officers and ministers, also to cause these books to be delivered to every parson, vicar, and curate, within your diocese, with such diligence, as they may have sufficient time well to instruct and advise themselves, for the distribution of the most holy communion, according to the order of this book, before this Easter time, and that they may by your good means be well directed to use such good, gentle, and charitable instruction, of their simple and unlearned parishioners, as may be to all their good satisfactions, as much as may be; praying you to consider, that this order is set forth, to the intent there should be in all parts of this realm, and among all men, one uniform manner quietly used, the execution whereof like as it shall stand very much in the diligence of you and others of your vocation, so do we esteems require you to have a diligent respect thereunto, as ye tender the king's majesty's pleasure, and will answer for the contrary. And thus we bid your lordship right heartily farewell.

From Westm. the thirteenth of March, 1548.

Your lordship's loving friends,

THO. Canterbury,	ANTHONY WINGFIELD,
R. RICH,	WILLIAM PETRE,
WIL. SAINT JOHN,	EDWARD NORTH,
JOHN RUSSELL,	EDWARD WOOTON.
HENRY ARUNDELL,	

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Synodus Cantuariensis.

SYNODUS provincialis Cantuar. ad diem quartum mensis Novembris prorogata, ab eo die per breve regium ad tertium Februarii seq. et

abinde ad xxii. diem Aprilis continuabatur. Reg. Cranmer fol. 12.

Articles to be followed and observed according to the king's majesty's injunctions and proceedings. Ex MS. Johnson apud Burnet hist. reform. vol. 2. app. p. 165.

1. **T**HAT all parsons, vicars, and curates omit in the reading of the injunctions, all such as make mention of the popish mass, of chantries, of candles upon the altar, or any other such like thing.

2. Item, For an uniformity, that no minister do counterfeit the popish mass, as to kiss the Lord's table, washing his fingers at every time in the communion; blessing his eyes with the patten, or sudary; or crossing his head with the patten; shifting of the book from one place to another; laying down and licking the chalice of the communion; holding up his fingers, hands, or thumbs, joined towards his temples; breathing upon the bread or chalice; shewing the sacrament openly before the distribution of the communion; ringing or sacring bells; or setting any light upon the Lord's board at any time; and finally to use no other ceremonies than are appointed in the king's book of common prayers, or kneeling, otherwise than

is in the said book.

3. Item, That none buy or sell the holy communion, as in trentals and such other.

4. Item, That none be suffered to pray upon beads, and so the people to be diligently admonished, and such as will not be admonished, to be put from the holy communion.

5. Item, That after the homily, every Sunday the minister exhort the people, especially the communicants, to remember the poor mens box, with their charity.

6. Item, To receive no corps, but at the church yard, without bell or cross.

7. Item, That the common prayer upon Wednesdays and Fridays be diligently kept, according to the king's ordinances, exhorting such as may conveniently come to be there.

8. Item, That the curates, every sixth week at the least, teach and declare diligently the catechism, according to the book of the same.

9. Item, That no man maintain purgatory, invoca-

invocation of saints, the six articles, beadrolls, images, reliques, lights, holy bells, holy beads, holy water, palms, ashes, candles, sepulchres, paschal, creeping to the cross, hallowing of the font of the popish manner, oil, chrism, altars, beads, or any other such abuses, and superstitions, contrary to the king's majesty's proceedings.

10. Item, That within any church or chapel be not used any more than one communion, upon any day, except Christmasday and Easterday.

11. Item, That none keep the abrogate holy days other than those that have their proper and peculiar service.

12. Item, That the churchwardens suffer no buying or selling, gaming, or unfitting demeanour in church or churchyards, especially during the common prayer, the sermon, and reading of the homily.

13. Item, That going to the sick with the sacrament the minister have not with him either light or bells.

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Bishop Ridley's letter to the protector concerning the visitation of the university of Cambridge. Ex reg. Ridl. apud Burnet hist. ref. v. 2. app. p. 232.

Right honourable,

I Wish your grace the holy and wholesome fear of God, because I am persuaded your grace's goodness to be such unfeignedly, that even wherein your grace's letter doth fore blame me, yet in the same the advertisement of the truth shall not displease your grace; and also perceiving, that the cause of your grace's discontentation was wrong information, therefore I shall beseech your grace, to give me leave to shew your grace, wherein it appeareth to me, that your grace is wrong informed.

Your grace's letter blameth me, because I did not (at the first before the visitation began having knowledge of the matter) shew my mind; the truth is, before God, I never had nor could get any foreknowledge of the matter, of the uniting of the two colleges; before we had begun, and had entred two days in the visitation, and that your grace may plainly thus well perceive. A little before Easter, I being at Rochester, received letters from Mr. secretary Smith, and the dean of St. Pauls, to come to the visitation of of the university, and to make a sermon at the beginning thereof. Whereupon I sent immediately a servant up to London to the dean of Pauls, desiring of him to have had some knowledge of things, there to be done, because I thought it meet that my sermon should somewhat have favoured of the same.

From Mr. dean I received a letter instructing me only, that the cause of the visitation was, to abolish statutes and ordinances which maintained papistry, superstition, blindness, and ignorance, and to establish and set forth such as might further God's word, and good learning; and else the truth is, he would shew nothing, but bad me be careless, and said, there was informations, how all things were to be done; the which, I take God to be witness, I did never see, nor could get knowledge what they were, before we were entered in the visitation two days; although I desired to have seen them in the beginning.

Now when I had seen the instructions; the truth is, I thought peradventure the master and company would have surrendered up their college; but when their consent after labour and travail taken therein two days, could not be ob-

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tained, and then we begun secretly to consult (all the commissioners thinking it best, that every man should say his mind plainly, that in execution there might appear but one way to be taken of all) there, when it was seen to some, that without the consent of the present incumbents, by the king's absolute power, we might proceed to the uniting of the two colleges; I did in my course simply and plainly declare my conscience, and that there only secretly among our selves alone, with all kind of softness, so that no man could be justly offended. Also I perceive by your grace's letters I have been noted of some for my barking there, and yet to bark, lest God should be offended, I cannot deny; but indeed it is a part of my profession, for God's word condemneth the dumb dogs that will not bark, and give warning of God's displeasure: as for that that was suggested to your grace, that by my foresaid barking I should dishonour the king's majesty, and dissuade others from the execution of the king's commission; God is my judge, I intended according to my duty to God and the king, the maintenance and defence of his highness royal honour, and dignity; if that be true, that I believe is true, which the prophet saith, "honor regis judicium diligit," and as the commissioners must need, and I am sure will, all testify, that I dissuaded no man, but contrariwise exhorted every man (with the quiet of other) to satisfy their own conscience, desiring only that if it should otherwise be seen unto them, that I might either by my absence or silence satisfy mine. The which my plainness when some otherwise, than according to my expectation did take, I was moved thereupon (both for the good opinion I had and yet have in your grace's goodness, and also especially, because your grace had commanded me so to do) to open my mind by my private letters freely unto your grace. And thus I trust your grace perceiveth now, both that anon after knowledge had, I did utter my conscience, and also, that the matter was not opened unto me, before the visitation was two days begun. If in this I did amiss, that before the knowledge of the instructions I was ready to grant to the execution of the commission; truly I had rather therein acknowledge my fault, and submit my self to your

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grace's

grace's correction, than after knowledge had then wittingly and willingly commit that thing, whereunto my conscience doth not agree for fear of God's displeasure.

It is a godly wish, that is wished in your grace's letters, that flesh and blood and country might not more weigh with some men, than godliness and reason; but the truth is, country in this matter (whatever some men do suggest unto your grace) shall not move me, and that your grace shall well perceive, for I shall be as ready as any other first thence to expell some of my own country, if the report, which is made of them, can be tried true.

And as for that your grace saith of flesh and blood, that is the favour or fear of mortal man, yea marry, Sir, that is a matter of weight indeed, and the truth is (alas my own feebleness) of that I am afraid, but I beseech your grace yet once again, give me good leave, wherein here I fear my own frailty to confess the truth.

Before God, there is no man this day (leaving the king's majesty for the honour only excepted) whose favour or displeasure I do either seek or fear, as your grace's favour or displeasure, for of God, both your grace's authority and my bound duty for your grace's benefits bind me so to do. So that if the desire of any man's favour or fear of displeasure should weigh more with me than godliness and reason; truly, if I

may be bold to say the truth, I must needs say, that I am most in danger to offend herein, either for desire of your grace's favour, or for fear of your grace's displeasure; and yet I shall not cease (God willing) daily to pray God so to stay and strengthen my frailty with holy fear, that I do not commit the thing for favour or fear of any mortal man, whereby my conscience may threaten me with the loss of the favour of the living God, but that it may please him of his gracious goodness (how ever the world goes) to blow this in the ears of my heart: "Deus dissipavit ossa eorum, qui hominibus placuerint:" and this: "horrendum est incidere in manus Dei viventis:" and again: "nolite timere eos qui occidunt corpus." Wherefore I most heartily beseech your grace, for God's love, not to be offended with me, for renewing of this my suit unto your grace, which is that whereunto my conscience cannot well agree, if any such thing chance in this visitation, I may with your grace's favour have licence either by mine absence or silence, or other like means, to keep my conscience quiet. I wish your grace in God honour and endless felicity.

From Pembroke hall in Cambridge June 1, 1549.

Your grace's humble and dayly orator,

NICH. ROFFEN.

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The councils letter to bishop Bonner for reformation of certain masses at St. Pauls.
Ex Heylin hist. reform. p. 74, et vol. 2. Fox. p. 661. ed. 1641.

AFTER hearty commendations, having very credible notice that within that your cathedral church there be as yet the apostles mass, and our ladies mass, and other masses of such peculiar names under the defence and commendation of our ladies communion, and the apostles communion, used in private chapels, and other remote places of the same, and not in the chancel, contrary to the king's majesty's proceedings, the same being for the misuse displeasing to God, for the place Pauls in example not tolerable, for the fondness of the name a scorn to the reverence of the communion of the Lord's body and blood; we for the augmentation of God's honour and glory, and the consonance of his majesty's laws, and the avoiding of murmur, have thought good to will and command you, that from henceforth no such masses in this manner be in your church any longer used, but that the holy blessed communion, according to the act of parliament, be ministred at the

high altar of the church, and in no other places of the same, and only at such time, as your high masses were wont to be used; except some number of people desire (for their necessary business) to have a communion in the morning, and yet the same to be executed at the chancel at the high altar, as it is appointed in the book of the publick service, without cautele or digression from the common order; and herein you shall not only satisfy our expectation of your conformity in all lawful things, but also avoid the murmur of sundry, that be therewith justly offended, and so we bid your lordship heartily farewell.

From Richmond the 24th of June 1549.

Your loving friends,

E. SOMERSET,
W. SAINT JOHN,
E. MONTAGUE,

R. RICH, Chanc.
FR. SHREWSBURY,
W. CECIL.

Bishop

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Bishop of London's letter to the dean and chapter of St. Pauls about the receipt of a letter from the king's council. Ex vol. 2. Fox. p. 662. ed. 1641.

To my right worshipful friends and most loving good brethren master dean of Pauls, with all the canons residentiaries, prebendaries, subdeans, and ministers of the same and every of them with speed.

Right worshipful,

WITH most hearty commendations, so it is this wednesday the 26th of June going to dinner, I received letters from the king's council by a pursevant, and the same I do send now herewith unto you to the intent you may peruse them well, and proceed accordingly; praying you in case all be not present, yet those that be now resident and supplying the places, may in

their absence call the company together of the church, and make declaration hereof unto them; thus committing you to God right well to fare, written with speed, this six and twentieth of June at one of the clock.

Your loving brother,

EDM. LONDON.

Another letter directed by the king and his council to Bonner, bishop of London; partly rebuking him of negligence, partly charging him to see to the better setting out of the service book within his diocese. Ex vol. 2. Fox. p. 663.

RIGHT reverend father in God, right trusty and well beloved, we greet you well; and whereas after great and serious debating and long conference of the bishops and other grave and well learned men in the holy scripture, one uniform order for common prayers and administration of the sacraments hath been, and is most godly set forth, not only by the common agreement and full assent of the nobility and commons of the late session of our late parliament, but also by the like assent of the bishops in the said parliament, and of all other the learned men of this our realm in their synods and convocations provincial, like as it was much to our comfort to understand the godly travail then diligently and willingly taken for the true opening of things mentioned in the said book, whereby the true service and honour of almighty God and the right ministration of the sacraments being well and sincerely set forth, according to the scriptures and use of the primitive church, much idolatry, vain superstition, and great and slanderous abuses be taken away: so it is no small occasion of sorrow unto us to understand by the complaints of many, that our said book so much travelled for, and also sincerely set forth (as is afore said) remaineth in many places of this our realm either not known at all, or not used, or at the least, if it be used, very seldom, and that in such light and irreverent sort, as the people in many places either have heard nothing, or if they hear, they neither understand, nor have that spiritual delectation in the same, that to good christians appertaineth: the fault thereof like as we must of reason impute to you, and other of your vocation called by God, through our appointment to due respect to this and such like matters, so considering that by these and such like occasions, our loving subjects remain yet still in their blindness and superstitious er-

rors, and in some places in as irreligious forgetfulness of God, whereby his wrath may be provoked upon us and them, and remembring withall, that amongst other cures committed to our princely charge, we think this the greatest, to see the glory and true service of him maintained and extolled, by whose clemency we knowlege our selves to have all that we have, we could not but by advice and consent of our dearest uncle Edward duke of Somerset, governor of our person, and protector of our realms, dominions, and subjects, and the rest of our privy council, admonish you of the premises. Wherein, as it hath been your office to have used an earnest diligence, and to have preferred the same in all places, within your diocese, as the case required, so have we thought good to pray and require you and netherless straitly to charge and command you, that from henceforth ye have an earnest and special regard to the reduce of these things, so as the curates may do their duties more often and in more reverend sort, and the people be occasioned by the good advices and examples of your self, your chancellors, archdeacons, and other inferior ministers, to come with oftner and more devotion to their said common prayers, to give thanks to God, and to be partakers of the most holy communion; wherein shewing your selves diligent and giving good example in your own person you shall both discharge your duty to the great pastor, to whom we all have to account, and also do us good service; and on the other side, if we shall hereafter (these our letters and commandment notwithstanding) hear oftsoons complaint, and find the like fault in your diocese, we shall have just cause to impute the fault thereof, and of all that ensueth thereof, unto you, and consequently be occasioned thereby to see otherwise to the redress of these things, whereof we would be sorry, and therefore

fore we do eftfoons charge and command you, under our fignet at our mannor of Richmond
upon your allegiance to look well upon your du- the 23d day of July, the third year of our
ty herein, as ye tender our pleafure. Given reign, 1549.

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A letter of bishop Bonner to the dean and chapter of St. Pauls about the king's letters sent to him. Ex vol. 2. Fox. p. 664.

EDMUND by the grace of God, &c. To my well beloved brethren, the dean and chapter of the cathedral church of St. Pauls in London, and to the other ministers there, and every of them do fend greeting. And where it is so, that of late I have received the said sovereign lord the king's majesty's letters of such tenour as is hereunto annexed, and according to my most bounden duty am right well willing, and desiring, that the said letters should be in all points duely executed, and observed, according to the tenour and purport of the same, as appertaineth; these therefore are to require and also straitly to charge you, and every of you, on his majesties behalf, &c. that you do admo-

nish and command or cause to be admonished and commanded all and singular parsons, vicars, and curates of your jurisdiction, to observe and accomplish the same from time to time accordingly; furthermore requiring and likewise charging you, and every of you, to make certificate herein to me, my chancellour, or other my officers in this behalf, with such convenient celerity as appertaineth, both of your proceedings in the execution hereof, and also the persons and names of all such as from henceforth shall be found negligent in doing their duties in the premises or any of them. Given at my house at Fulham the 25th of July 1549, &c.

Comissio regia Thomae archiepiscopo Cantuariensi et aliis ad examinandum materiam versus Edmundum episcopum London. Ex Rot. Pat. 3 Ed. VI. p. 111. m. 3. dor. apud Rymer foeder. vol. 5. p. 191.

EDWARD the syxte, &c. To the most reverend father in God Thomas archbishop of Canterbury, metropolitan and primate of all England, the right reverend father in God, Nicholas bishop of Rochester, our trusty and right well beloved counsellours, Syr William Petres, and Syr Thomas Smyth, knights, our two principal secretaries, and William May doctor of the law civil and dean of Paules gretynge. Yt ys come to our knowledge, that where we by the advyse of our most enterly beloved uncle, Edward duke of Somerset, governour of our person, and protectour of all our realmes, dominions and subjects, and the rest of our privy counsell, did give to the right reverend father in God Edmund Buffhoppe of London, upon certeyn complaints before made unto us, and other great considerations, certeyn injunctions to be followed, don and executed, and in sermon appoynted unto hym to preache by us, certeyn articles, and for more fuer knowledge keepyng and observyng dyd exhibite the same in writyng unto hym by the handes of our feid uncle, in the full fyttyng of our counsell; all this notwithstanding the said buffhoppe hathe, in contempte of us, as yt may appere, overslipped and not observyd certeyn of the feid things so by us enjoyned, and other so perversly and negligently done, that the things of us myndyd to reformation, and for a good quyet of our subjects, and hole realme be converted, by the

wilful negligence or perversite of hym, to a great occasion of flaundor, tumult and grudge amongs our people, as it hath ben denounced to us in wrytyng by certeyn honeste and discrete persones, and otherwise declaryd. The which things, if they be so, we, tenderyng the wealthe, quyetnes, good order and government of our people, have not thought convenient to be let passed unpunysht or unreformed. And therefore, by th'advise aforeseid have appointed yowe fyve, foure or thre, upon whose fidelities, wyfdoms, dexterities and circumspections we have full confidence, to call before you, as well the denouncers of the said faulte, as also the feid buffhoppe, and with due examinations and proces according to lawe and justice, to here the feid matter, and all other matters of what kynd, nature or condition soever they shall be, that shall be objected against the feid buffhoppe summarily and de plano, or otherwyse as to your discretions shall be thought most mete. With full power and auctorite to suspende, excommunicate, commit to prison, or depryve the feid buffhoppe, if the offence shall so appere to merite, or to use any other censure ecclesiasticall, which for the better heryng and determynyng of the cause, shall be requisite and apperteyne; any law, statute, or act to the contrary notwithstanding. In witness whereof, &c.

Witness the kyng at Westminster the eighth day of Septembre.

Papae Rom.
PAUL. III. 15.

Archiepisc. Cant.
THO. CRANMER. 17.

Anno Christi
1549.

Reg. Angliae
EDWARD. VI. 3.

Alia commissio regia Thomae archiepiscopo Cantuariensi et aliis ad examinandum materiam contemptus episcopi London. Ibidem.

EDWARDE the syxte, &c. To the most reverend father in God Thomas archbishoppe of Canterbury, metropolitan and prymate of all England, the ryght reverend father in God Nicholas Bysshope of Rochester, our trusty and right beloved counsellours, Syr William Petres and Syr Thomas Smythe, Knyghts, our two principall secretares, and William May doctor of the law civill and deane of Powles gretynge. Where we of late by th'advise of our most entierly beloved uncle, Edward duke of Somersset, governour of our person, and protectour of all our realmes, dominions, and subjects, and the rest of our privy counsell, have addressed unto yowe fyve, foure, or thre of yowe, our lettres patents of commissiõ, beryng date at Westm. the eighth daye of Septembre in the third yeare of our reigne, willing yowe, by force thereof, to here the matters and causes of contempt therein expressed, callyng before you as wel the denouncers thereof, as also the right reverend father in God Edmonde busshope of London, agaynste whom such denunciation ys made, as in our seid lettres of commissiõ more at large doth appere. We be now credibly informed, that upon the seid commissiõ divers doubts and ambiguities have and may arise; as whether yowe by the tenour of the commissiõ may procede not only at the denunciation, but also mere of-

fice? And also whether ye may as well determine as here the said cause? For further declaration whereof we do now interprete and declare, that our full mynd and pleasure, by the advyse aforesaid, was by our seid commissiõ, and now ys, that you should procede as wel by mere office, as also by way of denunciation, and by eyther of them, or by any other wayes or meanes at your discretions, whereby the truth and merits of the cause may be most spedely and best knowen, and that ye myght and may as well finally determine as here the seid matters in all your orders and doyngs, cuttyng awaye all vayne and superstitious delayes, and havynge respect to the only truth of the matter, and this our declaration we send unto yowe of our suer knowledge and mere motion, by the advyse aforesaid, supplyeng all default, ceremony, and point of the lawe, which shall or may aryse in your doyngs, by reason of any default of wordes in our seid former commissiõ or any part thereof; any lawe, statute or acte to the contrary notwithstanding. And therefore we wyll and commaunde yowe to procede in the seid matters accordyng, as well to our foreseid commissiõ, as this our declaration; and so fayle ye not. In witnes, &c.

Witnesse the kynge at Hampton Court the seventeenth day of Septembre.

Papae Rom.
JULIUS. III. 1.

Archiepisc. Cant.
THO. CRANMER. 18.

Anno Christi
1549.

Reg. Angliae
EDWARD. VI. 4.

The king's order for bringing in popish rituals. Ex reg. Cranmer fol. 25. b.

“THOMAS permissione divina Cantuariensis archiepiscopus, totius Angliae primas et metropolitanus, per illustrissimum et invictissimum in Christo principem et dominum nostrum dominum Edwardum sextum Dei gratia Angliae, Franciae, et Hiberniae regem, &c. ad infra scripta sufficienter et legitime fulcitus, dilecto filio archidiacono nostro Cantuariensi seu ejus officiali, salutem, gratiam et benedictionem. Literas missivas dicti metuendissimi domini nostri regis signatas, et nominibus honorabilium virorum dominorum consiliariorum suorum in calce earundem subscriptas, signeto suo obsignatas nobis inscriptas et datas nuper cum honore et reverentia debitis accepimus, tenorem subsequenter complectentes.” — By the kinge. Right reverende father in Godde, right trusty and wellbeloved, we grete you well. And whereas the boke entitled “the boke of commene prayers and administration of the sacramentes and other rightes and ceremonies of the church after the use of the church of Englande,” was agreed upon and set forth by acte of parliamente, and by the same acte commaunded to be used of all persones wythyn this our realme; yet never-

theless we are informed, that dyvers unquyette and evill disposed persons sithence the apprehension of the duke of Sommersett, have noysed and bruted abroad, that they sholde have agayne theire olde Lattenne service, ther conjured bredde and water, with suche lyke vayne and superstitious ceremonies, as though the settinge forth of the saide boke had bene th' onlie acte of the saide duke; we therefore by the advice of the bodie and state of our privey counsaile, not onely consideringe the saide boke to be our acte, and the acte of the state of th' whole state of oure realme assembled together in parliament, but also the same to be grounded upon holie scripture, agreable to th'ordre of the primitive church, and moch to the reedifying of our subjectes, to put away all such vayne expectation of havynge the publicke service; th' administration of the sacramentes, and other rightes and ceremonies agayne in the Lattenne tongue, whiche were but a preferment of ignorance to knowledge, and darknesse to light, and a preparation to bring in papistrie and superstition agayne, have thought goode, by the advice aforesaid, to requiere and neverthelesse

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straightly

straightly to commaunde and charge you, that immediately upon the receipt herof, you do commaunde the deane and prebendaries of the cathedrall church, the parsonne, vicar, or curate and church wardens of everie parishe, within youre diocesse, to bringe and delyver unto youe or youre deputie, eny of theme for there church and parishe at soche convenient place, as you shal appoynt, all antiphoners, missales, grayles, proceffionalles, manuelles, legendes, pies, portafies, jornalles, and ordinalles after the use of Sarum, Lincoln, Yorke, or any other private use, and all other bokes of service, the keping wherof shold be a let to the usage of the said boke of commenne prayers, and that you take the same bokes into your handes, or into the handes of your deputie, and then so deface and abolyse that they never after may serve eyther to anie soche use, as they were provided for, or be at any time a lett to that godly and uniforme ordre, whiche by a common consente is now set forthe: and if you shall finde any persones stubborne or disobedient in not bringinge in the said bokes, according to the tenour of thies our letters, that then ye committe the said persone to warde, unto soche tyme, as you have certified us of his misbehaviour; and we will and commaund you that youe also searche or cause searche to be made from tyme to tyme, whether any boke be withdrawne or hidde contrarie to the teanor of these our letters, and the same boke to receyve into your handes, and to use as in these our letters we have appointed. And furthermore whereas it is comme to oure knowledge that dyvers frowarde and obstinate persons do refuse to pay towards the fyndinge of bredde and wyne for the holy communion, according to the ordre prescribed by the saide boke, by reasone wherof the holie communion ys manny tymes omitted upon the sonday; these are to will and commaunde you to convent such obstinate persons before you, and theme to admonyshe and commaunde to kepe th'ordre prescribed in the saide boke; and if any shal refuse so to do, to ponysh them by suspension, excommunication or other censures of the church. Fayle you not thus to do as youe will avoyde our displeasure. Given under oure signet at oure palace of Westmynster the 25th of Decem-

ber the 3d yeare of our reigne. By the kynge. Inscriptio haec est. To the most reverend father in Godde our right trustie and well beloved counsaylor, th' archebushoppe of Canterburie. In calce haec nomina habentur, Thomas Cantuarien. R. Ryche, canc. Wm. Seint John, J. Russell, H. Dorsett, W. Northampton. Nos vero affectantes ex animo domini nostri regis literis et mandatis obtemperare, volentesque pro nostro erga regiam celsitudinem officio in demandatis negotiis omnem nostram curam et solertem adhibere diligentiam, vobis pro parte suae majestatis districtite praecipiendo mandamus harum serie, quatenus receptis praesentibus, cum omni qua poteritis celeritate et diligentia maturis, dilectos filios nostros decanum, canonicos, et praebendarios ecclesiae Christi Cantuarien. nec non rectores, vicarios, curatos, plebanos, ac syndicos et iconicos † quarumcunque ecclesiarum parochialium nostrae dioeceseos Cantuarien. moneatis, hortemini, et praecipiendo mandetis, quatenus ipsi et eorum quilibet vel singuli, omnes et singulos libros in eisdem literis regiis specificè nominatos, nobis aut nostro in hac parte commissario vel deputato infra palatium nostrum Cantuarien. infra novem dies monitionem et intimationem vestras eis fiendas proxime sequentes, realiter afferant, adducant et penes nos vel nostrum deputatum hujuscemodi relinquunt, et deponant, caeteraque omnia et singula in dictis literis descripta perimpleant, exequantur, et sedulo fieri curent, quatenus eos et eorum quemlibet contingunt vel concernunt, sicque vos et vestrum alter sedulo exequatur, sincere perimpleat et diligenter obediat, quae ad vestram in hac parte functionem pro congrua executione literarum praedictarum dignoscuntur pertinere, omnibus mora, dilatione, conniventia et fuco penitus remotis, prout eidem domino nostro regi sub vestro incumbentes periculo obtemperare et respondere velitis, et vult vestrum alter. Et quid in hac parte feceritis, et exequi curaveritis, id totum et omne nobis quam citissime significatum iri non postponatis. Dat. in manerio nostro de Lambithe decimo quarto die mensis Februarii, anno Domini 1549. et regni dicti invictissimi in Christo principis et domini nostri Edwardi sexti quarto, et nostrae consecrationis decimo * septimo."

Papae Rom.
JULIUS III. 1.

Archiepisc. Cant.
THO. CRANMER. 18.

Anno Christi
1549.

Reg. Angliae
EDWARD. VI. 4.

Mandatum pro publicatione quorundam decretorum et ordinationum regiarum. Ex reg. Cranm. fol. 59. b.

THOMAS permissione divina Cantuariensis archiepiscopus, totius Angliae primas et metropolitanus, per illustrissimum in Christo principem et dominum nostrum dominum Edwardum sextum Dei gratia Angliae, Franciae et Hiberniae regem, &c. Dilecto nobis in Christo archidiacono nostro Cantuariensi seu ejus officiali, salutem, gratiam et benedictionem. Breve supradicti illustrissimi et invictissimi domini nostri regis sigillo suo magno sigillatum, nobis

directum, nuper cum honore debito, tenorem continens subsequentem accepimus: Edwardus sextus Dei gratia Angliae, Franciae, et Hiberniae rex, fidei defensor, et in terra ecclesiae Anglicanae et Hibernicae supremum caput, reverendissimo in Christo patri Thomae eadem gratia Cantuariensi archiepiscopo, totius Angliae primati et metropolitano, ejusque in absentia vicario suo in spiritualibus generali, salutem. Vobis mandamus quod immediate post receptio-

† Forte oeconomus.

* Foran decimo octavo.

nem praesentium in singulis ecclesiis cathedralibus et collegiis, caeterisque ecclesiis tam parochialibus et capellis, quam aliis quibuscunque infra dioecesim et jurisdictionem vestras ex parte nostra publicari et denunciari faciatis quaedam decreta et ordinationes, per nos de advisamento consilii nostri concepta et facta secundum formam cujusdam statuti in hujusmodi casu editi et provisi, quae per latorem praesentium in quibusdam libris papyro impressis, huic brevi nostro annexis, vobis mittimus. Et hoc sicut nobis inde respondere volueritis diligenter fieri curetis. Teste meipso apud Westmonasterium quarto die Martii anno regni nostri quarto. Inscriptio vero talis est: reverendissimo in Christo patri Thomae eadem permissione et gratia Cantuariensi archiepiscopo, totius Angliae primati et metropolitano, ejusve in absentia vicario in spiritualibus generali de publicatione fienda. "Martien." — Nos vero affectantes ex animo ejusdem domini nostri regis literis et mandatis obtemperare, volentesque pro nostro erga suam regiam celsitudinem officio, demandatis et creditis nobis a sua celsitudine negotiis, omnem nostram curam et solertem adhibere diligentiam, vobis pro parte suae regiae majestatis tenore praesentium mandamus et praecipiendo injungimus, quatenus receptis praesentibus cum omni, qua poteritis, celeritate et matura diligentia tam in ecclesia nostra cathedrali et metropolitica Chri-

sti Cantuarien. tam in omnibus et singulis ecclesiis parochialibus et capellis eidem annexis vel dependentibus, quam aliis quibuscunque infra dioecesim nostram Cantuarien. ubilibet sitis et constitutis, pro parte regiae suae majestatis decreta et ordinationes in hujusmodi brevi regio mentionata, quorum vobis unum et alterum exemplaria, una cum praesentibus literis nostris per latorem praesentium transmittimus, juxta et secundum formam statuti in hac parte editi et provisi, ac tenorem et effectum brevis supradicti, non solum dilectis filiis decano et capitulo ecclesiae nostrae metropoliticae praedictae, et aliis ejusdem ecclesiae ministris, verum etiam omnibus et singulis rectoribus, vicariis, plebanis, curatis, ministris, plebique et populo ejusdem dioecesis, coram vobis certis diebus et locis vestro arbitrio assignandis, constitutis et praesentibus publiceris, declaretis, et denunciatis, prout decet, et uti sub vestro incumbente periculo respondere velitis. Et quid in praemissis feceritis, aut fieri causaveritis, nos citra primum diem mensis Aprilis proximi futuri, per literas vestras autentice sigillatas, reddatis certiores. In cujus rei testimonium sigillum nostrum praesentibus est appensum. Dat. in manerio nostro de Lambeth septimo die Martii anno Domini 1549. regnique dicti domini nostri regis anno quarto, et nostrae consecrationis 18.

Papae Rom.
JULIUS III. I.

Archiepisc. Cant.
THO. CRANMER. 18.

Anno Christi
1549.

Reg. Angliae
EDWARD. VI. 4.

Processus habitus et factus circa negotia haereticae pravitatis per reverendissimum in Christo patrem et dominum dominum Thomam Cranmerum permissione divina Cantuarien. archiepiscopum, totius Angliae primatem et metropolitatum, et alios commissarios regios per literas suas patentes in hac parte deputatos et constitutos, prout inferius describuntur. Ex reg. Cranm. fol. 71. b. sequ.

VICESIMO septimo die mensis Aprilis anno Domini 1548. in capella beatae Mariae infra ecclesiam cathedralem divi Pauli Londoniensis coram reverendissimo in Christo patre et domino domino Thoma permissione divina Cantuariensi archiepiscopo, totius Angliae primati et metropolitano, Thoma Smyth milite, Ricardo Cockes, et Hugone Latimer, sacrae theologiae professoribus, Wilhelmo May, decano sancti Pauli Londonien. Wilhelmo Cooke et Ricardo Lyell, legum doctoribus, illustrissimi domini nostri regis commissariis, &c. praesentibus tunc et ibidem Johanne Lewis et Johanne Gregory notariis publicis, in actorum scribas, quoad acta hujus diei scribenda expediendaque per dictos commissarios regios assumptis, Wilhelmo Locke et Johanne Cliffe militibus, vicecomitibus London. magistro Gilberto Bourne, sacrae theologiae baccalario, Thoma Broke, Galfrido Eton, generosis, cum multis aliis testibus, &c. Johannes Champneis parochiae de Stratford Bowe, in comitatu Midlesexano Londoniensis dioeceseos quosdam errores, haereses, et damnatas opiniones juri divino et catholicae fidei contrarias et repugnantes, per eum alias publice et malitiose creditas, assertas, affirmatas, tentas, et in libris suis

editas retractavit, abjuravit et renunciavit, sub eo qui sequitur verborum tenore. — "In the name of God, amen. Before you, most reverende father in God lord Thomas archebissshop of Canterbury, primate and metropolitane of all Englande, and you the other commissioners of our moste drede soveraign lord Edwarde the sixthe, by the grace of God, King of Englande, France, and Ireland, defendour of the faith, and of the church of England and also of Ireland in earthe the supreme head, I John Champneis of Stratford on the Bowe, in the county of Middlesex, of my pure hart and freewill, voluntarily and freely and sincerly knowledge, confesse and openly recognize, that in tymes past I thoughte, beleved, saide, helde, writte, and taught and presumptuously in my booke sette fourth in my name these and all other errors, heresies, and damnable opinions following, that is to say. First, that a man after he is regenerate in Christe, cannot synne. Item secondly, that I have defended the said first article, graunting that the outward man might synne and the inward man cold not synne. Thirdly, that the gospel hath bene so muche persecuted and hated ever sythens the apostelles tyme, that no man might be suf-
fred

fred openly to follow hyt. Fourthly, that godly love falleth never away from them whiche be regenerate in Christ, wherefore they cannot do contrary to the commaundment of Christ. Fifthly, that, that was the most principall of our marked mann's doctryne to make the people beleve, that there was no suche spirite geven unto man, wherby he sholde remayne righteous alwaies in Christe, which is a most develishe error. Sixthly, that God doth permitte to all his electe people their bodilie necessities of all worldly thinges. Wherefore I, the said John Champneis, detesting and abhorringe all and every suche my said errors, heresies, and damned opinions, willing and with all my power affecting herafter firmly to beleve in the true and perfecte faithe of Christ, and of his holy church, porposing to follow the true and sincere doctrine of hollie church, with a pure hart and free mynd, will, and intent utterly to forsake, relinquishe, renounce, despise, the said detestable errors, heresies, and abominable opinions; graunting and confessing now: first, that a man after he is regenerate in Christ, may synne, being destitute of his spirite; secondlie, that the ynwarde manne doth synne within; that the outward mann synneth actually wyth the consent of the mynd; thirdly, that divers tymes sythens the apostles tyme hath ben suffred to follow openly the gospel of Christ; fourthly, that godly love fallith from them that be regenerate in Christ, being destitute of his spirite, and that they may do contrary to the commaundment of Christe; fifthly, that it is no erroneous doctryne the which I affirmed in my booke to be a develishe error, and our marked mens doctryne, that is to say, to make the people to beleve that there was no such espirite geven unto man, whereby he shulde remayne righteous alwaies in Christe, but I confesse that a man having the spirite may afterwarde fall and not be righteous; sixthly, that God doth not permitte to all his elect people their bodilie necessities of all worldly thinges to be taken, but by a lawe and ordour approved by the civill policie; in which wordes by mee now spoken I meane ne understande any other sence than hath been heir opened, and therefore as I agree in wordes, so I professe to agree therein in the catholike meaning and understanding, as hath been heir expounded and declared; and therefore the said errors and all other heresies, false doctrynes, and damned opinions conteyned in my boke and all the Anabaptistes errors, and all other heresies in generall, contrary and repugnant to the faith of Christ, I utterly abjure, forsake, and purely renounce before yow, most reverend father in God aforesaid, and other the kinges majesties most honourable commissioners, and this christian congregation here assembled. And over this I sweare by theis holy evangelies by me here bodilye towched, that from hensforth I shal never hold, teach, beleve, write, prynt, or cause to be written or prynted the said errors heresies or damned opinions above reherfed, nor any other against, contrary or repugnant to the hollie catholike faithe of Christe's church; nor yet I

shall not by my self or any other person privately or apertly defend, meinteyn, foccor, favor, or support any person that to my knowledge holdeth, beleveth, affirmeth or teacheth any suche errors, heresies, and damned opinions; so helpe me God, and theise holly evangelistes. In witnes wherof to this my present abjuration and recantation I have wyth myne own hand voluntarily subscribed my proper name, John Champneis." Quibus quidem erroribus, haeresibus, ac falsis et damnatis opinionibus per dictum Johannem Champneis in vim juramenti sui ad sancta Dei evangelia per eum corporaliter tacta praestiti, sicut praemittitur, recantatis, abjuratis, et retractatis, dictus reverendissimus pater de consensu caeterorum collegarum suorum secum assidentium eundem Johannem Champneis juramento oneravit ad sancta Dei evangelia de peragendo poenitentiam sequentem, videlicet: "first, that the said Champneis shall not by any means hereafter teache or preach to the people, nor sette fourthe any kind of bookes in prynt or otherwise, nor cause to be prynted or sett forth any such bookes, that shuld conteyn any manner of doctryne without a speciall licence therunto of the kinges majestie, or some of his grace's privy counsell firste hade and obteyned; secondarilye, that the said Champneis with all speede conveniente, and with all his diligence procure as many of his bookes as are past forth in his name, to be called in againe, and utterly destroid, as much as in him shall lye; thirdly, that the same Champneis on sonday next shall attend at Paules crosse upon the preacher, all the tyme of the sermon, and there penitently stand before the preacher aforesaid, with a faggot on his shoulder." Deinde dictus Johannes Champneis, Reginaldus Mohonne de Cornubia, generosus, et Laurentius Clerke parochiae de Whitt Chapell civitatis London. Barbour recognoverunt se debere domino nostro regi quingentas libras currentis monetae Angliae sub conditione sequenti, videlicet: "If the said Champneis shall perfourme his penance enjoined, as is before said to be don on sonday next, in manner and forme before declared, that then, &c. or elles, &c."

Ibid. f. 73. a.

VICESIMO octavo die mensis Decembris anno Domini 1548. et regni domini nostri regis Edwardi sexti, &c. secundo, coram reverendissimo in Christo patre Thoma Cranmero Cantuar. archiepiscopo, totius Angliae primate, et metropolitano, in magna camera superiori infra manerium suum de Lambeth, publice et judicialiter sedente, in notarii et testium subscriptorum praesentis, comparentes probi viri magistri Johannes Whitwell et Thomas Langley presbyteri, ejusdem reverendissimi patris facellani, exhibuerunt quandam schedulam haereses et damnatas opiniones retroscriptas complectentem, denunciantes et significantes Johannem Asheton presbyterum in judicio constitutum, easdem opiniones et haereses dixisse, asseruisse, credidisse, et affirmasse, cujus quidem schedulae verus tenor sequitur in haec verba. — "We

John

John Whitwell and Thomas Langley prefts do denounce and signifie to your good grace, most reverend father in God, lord Thomas archebushop of Canterbury, primate and metropolitane of all Englande, that Mr. John Asheton preste, person of Shiltelington within the diocesse of Lincoln, and your province of Canterbury, hath beleved, saide, helde, and affirmed thes hereticall opinions and assertions underwritten, in thes severall articles ensuyng: furste, that the trinitie of persons was established by the confession of Athanasius declared by the psalme "quicumque vult," &c. and that the holy Ghoste is not God, but onely a certeyn power of the Father. Item, that Jesus Christ, that was conceived of the virgyn Mary, was a hooly prophet, and speciallie beloved of God the Father, but that he was not the true and lyving God, for as much as he was seen and lyved, hungered, and thirsted. Item, that this is only the fruite of Jesus Christes passion, that whereas we were strangers from God, and had no knowledge of his testament, hit pleased God by Christ, to bring us to the knowledging of his holly power by the testamente. In witness of the treught we have subscribed our names; by me John Whitwell, by me Thomas Langley." Quibus quidem articulis per eundem reverendissimum patrem receptis, publice lectis, et eidem Johanni Asheton objectis, ipse animo deliberato eisdem respondendo ingenue et libere fassus et recognovit se credidisse, tenuisse, affirmasse et asseruisse; verum in praesentiarum eos omnino respuisse et ex animo penitus abjecisse, petens genibus flexis, se ad beneficium et gratiam abjuramentis et renunciationis eorundem et cujuscunque ipsorum, gratiose admitti, profitendo sese ex intimis cordis sui affectibus dolere tantam fuisse suam temeritatem. Deinde productis palam quibusdam literis privatis manu sua, uti asserbatur, descriptis, errores, haereses, et opiniones erroneas hujuscemodi continentibus, etiam dixit, affirmavit, recognovit, et fassus est, fuisse et esse a se scriptas et subscriptas. Ad haec reverendissimus humilibus precibus ipsius supplicantis, dolentis, et poenitentis nonnihil motus ipsum Johannem ad renunciationem et abjuramentis gratiam admittendum duxit, et porrecta ei abjuramentis forma, in scriptis redacta, eam sponte sua legebat, errores, haereses, et detestandas opiniones suas detestando, renunciando, et abjurando, ac fidem, opinionem, et judicia sua declarando, sub eo qui sequitur verborum tenore. "In the name of God amen. Bifore you most reverende father in God, lord Thomas archebushop of Canterbury, primate and metropolitane of all Englande, commissary of our most dred soveraigne lord and excellent prince Edwarde the sixth by the grace of God king of Englande, France and Ireland, defendour of the faith, and of the church of Englande and also of Ireland in earthe the supreme heade; I John Asheton preste, of my pure hart, free will, voluntarilie and sincerely knowledge, confesse and openly recognize that in tymes past I thought, beleved, said, held, and presumptuously affirmed by subscription of my proper handy writting thes er-

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rours, heresies, and damnable opinions following; that is to saye, that the trinitie of persons was established by the confession of Athanasius declared by a psalme, "quicumque vult," &c. and that the hollie Ghoste is not God, but onely a certeyn power of the Father; secundarilye, that Jesus Christ, that was conceived of the virgyn Mary, was a holy prophet and speciallie beloved of God the Father, but that he was not the true and lyving God, for as much as he was seen and leved, hungred and thirsted; thirdly, that this onley is the fruite of Jesus Christes passion, that whereas we were straungers from God, and had no knowledge of his testament, hit pleased God by Christ to bring us to th'acknowledging of his hollie power by the testament. Wherefore I the said John Asheton detesting and abhorring all and every such my said errors, heresies and damned opinions, willing and withall my power affecting herafter firmly to beleve in the true and perfecte faith of Christ and his hollie church, purposing to follow the true and sincere doctrine of hollie church, with a pure and free harte, voluntarily mynd, will and intent utterly to forsake, relinquish, renounce and despise the said detestable errors, heresies, and abominable opinions; graunting and confessing nowe, that the blessed trinitie consisteth in three distincte persons, and one Godhead, as God the Father, God the Sonne, and God the Hollie Ghoste, coequal in power and might; secondly, that Jesus Christ is both God and man, after his godly nature, eternally begotten of his Father, of his own substance, in his humanitie was conceived by the Holy Ghost, incarnate, and for our redemption being very God, became man; thirdly, that by the death of Jesus Christ we be not only made partakers of his testament, and so deduced to the knowledge of his godly will and power, but also that we have full redemption and remission of our synnes in his blood, in whiche wordes by me nowe spoken I meane, ne understande any other sense, than hath been here opened, and therefore as I agree in wordes, so I profess to agree therein in the catholicke meaning, and understanding as hath been here expounded and declared: and therefore the said errors and all other heresies, false doctrine, and damned opinions in generall, contrary and repugnant to the faith of Christ, I utterly abjure, forsake, and purely renounce, before you most reverend father in God aforesaid, and all this honorable presence heare assembled; and over this I swere by thes holly evangelistes, by me here bodily touched, that from henceforth I shal never holde, teache, beleve or affirme the said errors, heresies, or damned opinions above rehersed, nor any other against, contrary or repugnant, to the holy faith of Christes church, nor yet I shall not by my self or any other person, privately or apertly, defend, mainteyne, succour, favour, or supporte any person, that to my knowledge holdeth, beleveth, affirmeth, or teacheth any such errors, heresies or dampned opinions; so helpe me God, and thes hollie evangelistes. In witness

M wherof

wherof to this my present abjuration and renunciation I have wyth myne own hande, voluntarily subscribed my proper name, per me Johannem Affheton." Quam quidem abjurati-
onem five renunciationem, sensim et deliberatim lectam, tunc et ibidem manu sua propria subscripsit, eamque dicto reverendissimo patri pro facto suo exhibuit, contendens erectis ad caelum palmis a reverendissimo misericorditer et clementer agi, praeterea tactis evangeliiis fidem fecit se juri, sanctae matris ecclesiae mandatis, et cuicunque poenitentiae sibi per dictum reverendissimum patrem pro tantis suis erratis et commissis infligendae, fideliter et humiliter pariturum. Cui jurato absolutionis beneficium in forma juris consueta impendebat, assignando eidem poenitendo ad comparandum coram sua reverendissima paternitate in loco praedicto die Lunae proximo futuro post festum Epiphaniae, videlicet, septimo die futuri mensis Januarii, hora prima post meridiem, corporalem poenitentiam tunc ei injungendam recepturo, quem pie edoctum, et ad hujuscemodi morbidas contagiones in posterum vitandas in Christo Jesu exhortatum, usque ad eundem diem Lunae et non aliter in pace et charitate dimisit. Praesentibus tunc et ibidem una mecum Antonio Huse, notario publico, ejusdem reverendissimi patris registrario, eximio viro magistro Willemo Cooke legum doctore, ipsius reverendissimi cancellario et officiali principali, Galfrido Eson, Johanne Herde, Ricardo Cranmer, Johanne Gregory, notario publico, Thoma Willet, et Johanne Abell praemissa videntibus et audientibus.

Ibid. fol. 74. a.

UNDECIMO die mensis Maii anno Domini 1549. In manerio archiepiscopi Cantuarien. de Lambehith Wintonien. Dioeceseos coram reverendissimo in Christo patre et domino domino Thoma permissione divina Cantuarien. archiepiscopo, totius Angliae primate, et metropolitano, Willemo Cooke, Ricardo Lyell, et Johanne Croke legum doctoribus, commissariis regiis in hac parte sufficienter et legitime constitutis et deputatis, in praesentia magistrorum Thomae Argall et Willemi Walker notariorum publicorum, Johannis Whitewell sacrae theologiae baccalaurei, dicti reverendissimi patris eleemosynarii, Johannis Josephe, Johannis Huntington, et multorum aliorum in numero copioso, constitutus personaliter Michael Thombe de Londoniis Bocher quosdam errores, haereses et damnatas opiniones per eum alias tentas, creditas, et affirmatas abjuravit, recantavit, et retractavit, prout in quadam schedula quam in manibus tenens tunc et ibidem publice legebat, et manu sua propria subscripsit plenius continetur, cujus quidem schedulae verus tenor sequitur et est talis, "In the name of God amen. Before you, most most reverend father in God lord Thomas archbishop of Canterbury, primate and metropolitan of all England, Mr. Wm. Cooke, Richard Lyell, and John Croke, doctors of law, commissaries of our most dread sovereigne lorde Edwarde the sixthe, by the grace of God king of England, France, and Ireland, defendour of

the faith, and of the church of England, and also of Ireland in earth the supreme head; I Michaelle Thombe of London bocher of my pure harte and free will, voluntarie and sincerely knowledge, confesse and openly recognize, that in tymes past I thought, beleved, said, helde, and affirmed theise errors, heresies and damnable opinions following; that is to say, that rather Christ toke no flesh of our lady, and that farther I beleve that I have said, that the baptisme of infantes is not profitable, because it goith without faith: wherefore I the said Michaelle Thombe detestinge and abhorringe all and every such my said errors, heresies and damned opnions, willing and with all my power affecting hereafter firmly to beleve in the true and sincere doctrine of holy church, with a pure and free heart, voluntary mynd, will and intent, utterly to forsake what is not the perfect faith of Christ, and of his holy church, purposing to follow the true and sincere church, so my purpose is to forsake, relinquish, renounce and despise the said detestable errors, heresies, and abominable opinions, graunting and confessing nowe that Christe toke fleshe of the virgyn Mary, and that the baptisme of infantes is profitable and necessary; in whiche wordes by me nowe spoken I meane, ne understand any other sence, then hath been here opened; and therefore as I agree in wordes, so I profess to agree therein in the catholicke meaning and understanding, as hath been here expounded and declared: and therefore the said errors and all other heresies, false doctrine, and damned opinions in generall, contrary and repugnant to the faith of Christ, I utterly abjure, forsake and purely renounce before you, most reverend father in God aforesaid, and other the kinges majesties most honorable commissioners, and this christen congregation here assembled. And over this I sweare by theis holy evangelistes by me here bodily touched, that from hensforth I shall never hold, teache, beleve, or affirme the said errors, heresies, and damned opinions, above reherfed, nor any other against, contrary, or repugnant to the holly faith of Christe's church, nor yet I shall not by my self or any other person, privately or apertly defend, mainteyn, succour, favour, or supporte any person, that to my knowledge holdeth, beleveth, affirmeth, or teacheth any such errors, heresies, or damned opinions; so helpe me God, and thes holy evangelistes. In witnes wherof to this my present abjuration and recantation I have with my owne hand voluntarily subscribed my name,

MICHAELLE THOMBE."

Ibidem.

IN Dei nomine, amen. Nos Thomas permissione divina Cantuarien. archiepiscopus, totius Angliae primas et metropolitanus, Thomas Smith miles, Willemus Cooke decanus de arcubus, Hugo Latymer, sacrae theologiae professor, et Ricardus Lyell, legum doctor, illustrissimi et invictissimi in Christo principis et domini nostri domini Edwardi sexti Dei gratia Angliae, Franciae et Hiberniae regis, fidei defensoris,

foris, et in terra ecclesiae Anglicanae et Hibernicae supremi capitis, cognitores, inquisitores, iudices et commissarii, per literas suas regias patentes, gerentes dationem duodecimo die mensis Aprilis anno regni sui felicissimi tertio, sufficienter et legitime deputati, in quodam negotio haereticae pravitatis contra te Johannam Bocher alias nuncupatam Johannam de Kente, coram nobis in iudicio personaliter comparentem, et nobis super haeretica pravitate juxta et secundum commissionem dicti domini nostri regis detectam et delatam, ac in ea parte apud bonos et graves notorie et publice diffamatam, rite et legitime procedentes, auditis, visis, intellectis, cognitis, rimatis, et matura deliberatione discussis, et ponderatis dicti negotii meritis et circumstantiis, servatisque in omnibus et per omnia in eodem negotio de jure servanda, ac quomodolibet requisitis, judicialiter et pro tribunali sedentes, Christi nomine invocato, ac ipsum solum Deum prae oculis nostris habentes, quia peracta, inactitata, deducta, probata, confessata, ac per te saepius coram nobis in eodem negotio recognita comperimus et clare invenimus, te, tum per confessiones, tum per recognitiones tuas coram nobis judicialiter factas nephandum et intolerabilem errorem, haeresim damnatam, et scandalosam opinionem subscriptam, juri divino et catholicae fidei obviantem, contrariam et repugnantem, videlicet: "That you beleve that the worde was made fleshe in the virgyn's belly, but that Christe toke fleshe of the virgyn you beleve not; because the flesh of the virgyn being the outward man synfully gotten, and bourne in synne, but the worde by the consent of the inward man of the virgin was made fleshe." Quem quidem errorem, haeresim damnatam et scandalosam opinionem, juri divino et fidei catholicae obviantem, contrariam et repugnantem, coram nobis tam in iudicio quam extra, animo obstinato, pertinaci et indurato, arroganter, pertinaciter et obstinate, etiam non sine fastu asseruisti, tenuisti, affirmasti, et dixisti, atque sic credere, tenere, affirmare, et dicere velle, paribus obstinacia, pertinacia, malicia quoque et mira cordis caecitate etiam affirmasti; idcirco nos Thomas archiepiscopus, primas, et metropolitanus, ac commissarius regius antedictus, tam de aliorum col-

legarum nostrorum nobis in hac parte assidentium et assistentium consensu et assensu expressis, quam etiam de et cum consilio et iudicio iurisperitorum et sacrarum literarum professorum cum quibus communicavimus in hac parte, te Johannam Bocher, alias Joahnnam de Kente praedictam, demeritis, culpis, obstinaciis et contumaciis per tuam nephandam et damnabilem pertinaciam multipliciter contractis, incurfis, et aggravatis, de et super hujuscemodi detestabili et horrendo haereticae pravitatis reatu confessam, et ad ecclesiae unitatem redire nolentem, haereticaque opinione credentem, praemissorum praetextu fuisse et esse cum animi dolore et cordis amaritudine judicamus; teque exnunc tanquam pertinacem et obstinatam haeticam iudicio sive curiae seculari ad omnem juris effectum, qui exinde sequi debeat aut poterit, relinquendam fore decernimus et declaramus, et sic per praesentes de facto relinquimus, teque Johannam Bocher alias Johannam de Kente memoratam, uti praefertur, haeticam pertinacem et obstinatam in majoris excommunicationis sententiam, occasione praemissorum, incidisse et incurrisse, nec non excommunicatam fuisse et esse etiam sententialiter et diffinitive pronunciamus, et declaramus, per hanc nostram sententiam diffinitivam, quam ferimus et promulgamus in his scriptis. — Lecta fuit hujuscemodi supra scripta sententia per praenominatum reverendum in Christo patrem Thomam Cantuariensem archiepiscopum die Martis videlicet, ultimo die mensis Aprilis anno Domini 1549. Regnique dicti domini nostri regis Edwardi sexti anno tertio, in capella beatae Mariae infra ecclesiam cathedralis sancti vel divi Pauli London. assidentibus dicto reverendissimo patri, Thoma Smyth, milite, Wilhelmo Cooke, decano de arcubus, Hugone Latymer, sacrae theologiae professore, et Ricardo Lyell legum doctore, commissariis regis huic sententiae consentientibus: praesentibus tunc et ibidem ac praemissa videntibus et audientibus venerabilibus viris Wilhelmo Locke et Johanne Oliffe militibus et vicecomitibus London. Clemente Smyth, Edwardo Hastings militibus, Thoma Huse armigero, Thoma Argell generoso, Wilhelmo Walker, et Johanne Gregory, notariis publicis.

Papae Rom.
JULIUS III. 1.

Archiepisc. Cant.
THO. CRANMER. 18.

Anno Christi
1549.

Reg. Angliae
EDWARD. VI. 4.

Litterae archiepiscopi Cant. et aliorum commissar. regior. de Johanna de Kente haeretica. Ex reg. Cranm. fol. 75. b.

ILLUSTRISSIMO et invictissimo in Christo principi et domino nostro domino Edwardo sexto Dei gratiae Angliae, Franciae, et Hiberniae regi, fidei defensori, et in terra ecclesiae Anglicanae et Hibernicae supremo capiti, — Thomas permissione divina Cantuariensis archiepiscopus, totius Angliae primas et metropolitanus, Thomas Smyth miles, Wilhelmus Cooke decanus de arcubus, Hugo Latymer sacrae theologiae professor, et Ricardus Lyell legum doctor, vestrae celsitudinis cognitores, inquisitores, iudices et commissarii per literas vestras regias pa-

tentes, gerentes dationem 22 die Aprilis anno regni vestri felicissimi tertio, sufficienter et legitime deputati, honorem et perpetuam felicitatem in eo, per quem reges regnant et principes dominantur. Vestrae regiae celsitudini tenore praesentium significamus, quod nos contra et adversus quandam Johannam Bocher alias dictam Johannam de Kente subditam vestram de et super nephando crimine haereseos, ac detestanda Anabaptistarum secta, apud bonos et graves enormiter diffamatam et super reatu earundem nobis detectam, delatam, et denunciata rite et legitime,

time, juxta litterarum vestrarum regiarum commissionarium exigentiam et tenorem procedentes, eandem Johannam per nos examinatam comperimus et invenimus errores, haereses damnatas, et scandalosas opiniones, catholicae Christi fidei obviantes, contrarias et repugnantes, non modo medio juramento suo corporali coram nobis praestito confessam fuisse, affirmasse, defendisse, et eisdem firmiter credidisse; verum etiam easdem sceleratas opiniones, errores, haereses et damnatas opiniones pertinaciter animo indurato saepenumero manutenuisse, defendisse et in eisdem permanisse, et ab eisdem nullo modo resipuisse, nec resipiscere curasse, sed ad sanctae matris ecclesiae gremium redire penitus neglexisse; ideo cum animi amaritudine et cordis dolore eandem Johannam saepius monitam, et per nos ad ecclesiae unitatem redire hortatam, salutaribus nostris monitis parere omnino spernentem, de et cum consensu collegarum nostrorum, tanquam ovem morbidam a grege Domini, ne alios vestros subditos sua contagione inficiat, ejiciendam et eliminandam fore decernimus, ipsamque Johannam, occasione iniquitatis suae inveteratae hujuscemodi, haereticam ac haereticis opinionibus credentem, mediante nostra sententia diffinitiva pronunciavimus et decrevimus. Cum igitur sancta mater ecclesia non habeat, quod ulterius facere et exequi debeat in hac parte, vestrae regiae sublimitati et brachio vestro seculari dictam haereticam et relapsam relinquimus, condigna animadversione plectendam. In cujus rei testimonium nos Thomas archiepiscopus, primas, metropolitanus ac commissarius vester humillimus supradictus, de consensu collegarum nostrorum hic se subscribentium, sigillum nostrum archiepiscopale praesentibus apponi fecimus. Datum ultimo die mensis Aprilis anno Domini 1549. et regni vestrifelicissimi anno tertio.

Ex reg. Cran. fol. 78. a.

IN Dei nomine amen. Nos Thomas permissione divina Cantuariensis archiepiscopus, totius Angliae primas et metropolitanus, Nicholaus London. episcopus, Willelmus May, Griffinus Leyson, Johannes Oliver, Milo Coverdale, Ricardus Lyell, Johannes Gosnold, et Christopherus Nevynson, excellentissimi in Christo principis et domini nostri domini Edwardi sexti Dei gratia Angliae, Franciae et Hiberniae regis, fidei defensoris, et in terra ecclesiae Anglicanae et Hibernicae supremi capitis, cognitores, inquisitores, iudices et commissarii in hac parte legitime deputati, tibi Georgio van Parris Teuthonico, chirurgico in civitate London. modo commoranti, nobis de et super haeretica pravitate diffamato et detecto, objicimus articulum subsequentem, videlicet: quod tu affirmasti, asseruisti, et credidisti ac credis in praesenti, quod Christus non est verus Deus; quem quidem articulum dictus reverendissimus pater Cantuarien. archiepiscopus et caeteri collegae sui praedicti judicialiter et pro tribunali in hac parte sedentes, in quodam superiori cubiculo infra manerium ipsius reverendissimi domini patris apud Lambeth die Lunae, sexto videlicet die Aprilis anno Domini 1551. et regni regis Edwardi sexti quin-

to, in praesentia Anthonii Huse armigeri et Willelmi Say notariorum publicorum actuatorum, ac juxta vim, formam, et effectum litterarum commissionarium dicti illustrissimi domini nostri regis, eidem reverendissimo et caeteris collegis suis in ea parte directarum, et per ipsos acceptarum legitime procedentes, eidem Georgio tunc et ibidem coram ipsis personaliter constituto, ad interpretationem magistri Milonis Coverdale unus ex dictis iudicibus, objecerunt. Qui quidem Georgius ad consimilem interpretationem dicti magistri Milonis respondebat, dicens ut sequitur: "that he beleveth, that God the Father is only God, and that Christ is not very God, is noon heresy, and beyng by like interpretation declared unto him, that yt is an heresy; and being asked whether he will retracte and abjure the same opinion; he saith, no." Deinde post disceptationes et discussiones cum eodem Georgio per eosdem iudices ad ipsum reconciliandum pie habitas, quia ipsum nullo modo ab illa haeretica et damnata opinione revocare potuerunt, ideo praefatus reverendissimus dominus Cantuarien. de consensu collegarum suorum praedictorum tulit, legit, et promulgavit sententiam finalem in scriptis contra ipsum Georgium, per quam inter alia eundem Georgium van Parris haereticum fuisse et esse declaravit, ac tanquam pertinacem et obstinatum haereticum iudicio sive curiae seculari tunc ibidem praesenti ad omnem juris effectum exinde sequi valentem, relinquendum, et tradendum fore decrevit et declaravit, et tunc ibidem effectualiter reliquit et tradidit magistro Guidoni Wade carceris nuncupati "the Coultry in the Pultrey" civitatis London. secundo sive custodi, tunc ibidem eundem Georgium recipienti, eundemque Georgium van Parris, ut praefertur, haereticum pertinacem et obstinatum in majoris excommunicationis sententiam, praemissorum causa et occasione, incidisse et incurrisse, eaque ligatum fuisse et esse similiter in scriptis etiam pronunciavit, praesentibus tunc et ibidem domino Francisco Russell, domino Russell, domino electo Rossensi, Thoma Stephens praedicatore, et multis aliis in multitudine copiosa tunc et ibidem congregatis testibus, &c. Cujus quidem sententiae diffinitivae verus tenor sequitur et est talis. — In Dei nomine amen. Nos Thomas permissione divina Cantuariensis archiepiscopus, totius Angliae primas et metropolitanus, Nicholaus Londoniensis episcopus, Willelmus May, Griffinus Leyson, Johannes Oliver, Milo Coverdale, Ricardus Lyell, Johannes Gosnold, et Christopherus Nevynson, excellentissimi in Christo principis et domini nostri domini Edwardi sexti Dei gratia Angliae, Franciae et Hiberniae regis, fidei defensoris, et interea ecclesiae Anglicanae et Hibernicae supremi capitis cognitores, inquisitores, iudices et commissarii per litteras suas regias patentes, gerentes dat. apud Westminster 18 die mensis Januarii, anno regni sui felicissimi quarto, sufficienter et legitime deputati, in quodam haereticae pravitate negotio contra te Georgium van Parris Teuthonicum, coram nobis in iudicio personaliter comparentem, et nobis super haeretica pravitate juxta et secundum commissionem dicti domini nostri regis

gis detectum et delatum, ac in ea parte apud bonos et graves notorie et publice diffamatum, rite et legitime procedentes, auditis, visis, intellectis, cognitis, rimatis, et matura deliberatione discussis et ponderatis dicti negotii meritis et circumstantiis, servatisque in omnibus et per omnia in eodem negotio de jure servandis ac quomodolibet requisitis; judicialiter et pro tribunali sedentes, Christi nomine invocato, ac ipsum solum Deum prae oculis nostris habentes; quia per acta, inactitata, deducta, probata, confessata, et per te saepius coram nobis in eodem negotio recognita comperimus et clare invenimus, te tum per confessiones tuas varias assertas et affirmatas, tum per recognitiones tuas judiciales coram nobis saepenumero judicialiter factas, nefandum et intolerabilem errorem, haeresim, damnatam et scandalosam opinionem subscriptam, juri divino et catholicae fidei obviantem, contrariam et repugnantem, videlicet, quod Christus non est verus Deus; quam quidem haeresim, errorem, damnatam et scandalosam opinionem juri divino et catholicae fidei obviantem, contrariam, et repugnantem coram nobis tam in judicio quam extra, animo obstinato, pertinaci et indurato, arroganter, pertinaciter, et obstinate asseruisti, tenuisti, affirmasti et dixisti, atque sic credere, asserere, affirmare, et dicere velle paribus obstinacia, pertinacia, malitia, quoque et mira cordis caecitate etiam affirmasti: idcirco nos Thomas archiepiscopus, primas et metropolitanus ac commissarius regius antedictus, tam de aliorum collegarum nostrorum nobis in hac parte assistentium et assidentium

consensu assensuque expressis, quam etiam de et cum consilio et judicio jurisperitorum et sacrarum literarum professorum, nobis etiam assistantium, cum quibus communicavimus in hac parte, te Georgium van Parris praedictum, de meritis, culpis, obstinaciis et contumaciis per tuam nephandam et damnabilem pertinaciam multipliciter contractis, incurfis et aggravatis de et super hujusmodi detestabili et horrendo haereticae pravitate reatu confessum, ad sacrosanctae ecclesiae unitatem redire nolentem haeticum fuisse et esse declaramus, haeresimque et haeticas opiniones affirmantem et asserentem praemissorum praetextu fuisse et esse, cum animi dolore et cordis amaritudine declaramus et judicamus; te quoque ex nunc tanquam pertinacem et obstinatum haeticum judicio sive curiae seculari hic praesenti ad omnem juris effectum exinde sequi valentem, relinquendum et tradendum fore decernimus et declaramus, et sic per praesentes de facto relinquimus et tradimus, teque Georgium van Parris memoratum, ut praefertur, haeticum pertinacem et obstinatum in majoris excommunicationis sententiam, praemissorum causa et occasione incidisse et incurrisse, eaque ligatum fuisse et esse sententialiter, in hiis scriptis pronunciamus, decernimus, et de consensu collegarum nostrorum hujusmodi diffinitive declaramus per hanc nostram sententiam finalem, quam cum animi nostri dolore ferimus et promulgamus in hiis scriptis. Thomas Cantuar. Nicholaus London. Willelmus May, Milo Coverdale, Ricardus Lyell, Christopher Nevynson, Griffin Leyson, Jo. Oliver, John Gosnold.

Papae Rom.
JULIUS III. 1.

Archiepisc. Cant.
THO. CRANMER. 18.

Anno Christi
1549.

Reg. Angliae
EDWARD. VI. 4.

Aliae litterae archiepiscopi Cant. et aliorum commissar. regior. de Georgio van Parris haeretico. Ibid. fol. 79. a.

ILLUSTRISSIMO, invictissimo et potentissimo in Christo principi et domino nostro domino Edwardo sexto Dei gratia Angliae, Franciae et Hiberniae regi, fidei defensori et in terra ecclesiae Anglicanae et Hibernicae supremo capiti, Thomas permissione divina Cantuariensis archiepiscopus, totius Angliae primas et metropolitanus, Nicholaus Londoniensis episcopus, Griffinus Leyson, decanus de arcubus London. Willelmus May, decanus sancti Pauli London. Johannes Oliver, Ricardus Lyell, et Christopherus Nevynson, legum doctores, Milo Coverdale sacrae theologiae professor, et Johannes Gosnold armiger, vestrae celsitudinis cognitores, inquisitores, judices, et commissarii per litteras vestras regias patentes, gerentes dat. apud Westminster decimo octavo die Januarii, anno regni vestri felicissimi quinto; rite et legitime constituti honorem, obsequii perpetui promptitudinem, ac felicitatem perpetuam precantur in ipso Deo optimo maximo, per quem reges regnant et principes terrae dominantur. Vestrae regiae majestati tenore praesentium significamus, quod quidam iniquitatis diabolicae alumnus et filius, Georgius van Parris chirurgicus, natione Teuthonicus, videlicet de partibus Flandriae infra ci-

vitatem vestram Londoniensem commorans, ob et propter suos nephandos errores, manifestas et detestandas haereses, et damnatas opiniones, juri divino et catholicae fidei obviantes, contrarias et repugnantes, per eum multis modis contractas, commissas, dictas, affirmatas, perpetratas publice et pertinaciter tentas et defensas, per nos vestra auctoritate procedentes, juxta et secundum leges et statuta regni vestri, in hac parte, ad Dei gloriam salubriter edita, provisa et publicata, pro haeretico obstinato et pertinaci judicialiter, et diffinitive a nobis unanimiter, judicatus et pronuntiatus est. Cum igitur sancta mater ecclesia non habet quod ulterius facere et exequi contra tam putridum membrum debeat, vestrae regiae sublimitati, ac potentiae brachii vestri secularis dictum Georgium haeticum pertinacem relinquimus et tradimus, animadversione vestra regia puniendum et plectendum. In cujus rei testimonium nos Thomas archiepiscopus antedictus de consensu et rogatu collegarum nostrorum hujusmodi figillum nostrum hisce literis certicatoriis affigi fecimus. Dat. in manerio nostro de Lambeth 7 die mensis Aprilis anno Domini 1551. regni vestri felicissimi quinto et nostrae consecrationis 20.

Papae Rom.
JULIUS III. I.

Archiepisc. Cant.
THO. CRANMER. I 8.

Anno Christi
1549.

Reg. Angliae
EDWARD. VI. 4.

*Concilium * provinciale cleri Scotici habitum Edinburgi, anno Domini 1549.*
Ex MS. bibl. regiae. Paris. n. 3887. codd. Baluzian. n. 38.

AD MONUIT NOS salubriter divus Paulus, ut, qui ipsius et caeterorum apostolorum vices gerere dignoscimur, huic nosmetipsos praecepto quamprimum accomodare nitamur. "Attendite," inquit, "vobis et universo gregi, in quo vos Spiritus Sanctus posuit episcopos, regere ecclesiam Dei, quam acquisivit sanguine suo." Quocirca praesens huiusce regni ordinariorum, praelatorum, aliorum ecclesiasticorum et cleri conventio in Spiritu Sancto congregata, conformiter apostolico huic praecepto, ad Dei gloriam, ecclesiastici status tranquillitatem resarciendam, ac integritatem conservandam, intente animadvertens quamplurimas haereses in greges dominicos pastoralibus eorum curis commissos crudeliter grassari, volensque easdem ab ipsis velut radicibus funditus extirpare, prudentis medici exemplo agendum fore decrevit, ut primum studiosa meditatione, tantorum malorum, quibus ecclesiastici mores pridem corrupti sunt, ansas et occasiones indagandas curet; deinde ut de opportunis remediis illis cogitet et provideat; cumque duae potissimum malorum causae et radices appareant, quae tantas nobis turbas haeresiumque occasiones excitavere, nimirum in personis ecclesiasticis omnium fere graduum morum corruptela ac vitae profana obscoenitas, tum bonarum literarum artiumque omnium crassa inscitia; atque ex his praesertim duobus capitibus multi abusus oriuntur: haec sancta synodus ac provinciale concilium hisce malis, quoad pro temporum occasione liceat, remedia et modum ponere statuit. Ad laudem igitur et gloriam omnipotentis, morum in ecclesia Scotica reformationem, et haeresium extirpationem, die Mercurii 27 mensis Novembris A. D. 1549. in templo fratrum praedicatorum Edinburgen. S. Andreae dioec. habita et facta fuit conventio reverendissimi et reverendorum venerabiliumque in Christo patrum et dominorum ordinariorum, praelatorum, aliorumque spectabilium et eximiorum virorum ecclesiasticorum, et de clero infra scriptorum generalem huius regni conventionem et concilium provinciale archiepiscoporum et episcoporum ordinariorum, praelatorum et aliorum ecclesiasticorum et de clero pro tempore facientium et representantium venerabili in Christo patre et domino Johanne S. Andreae archiepiscopo, totius regni Scotiae primate, legato nato, et monasterii a Pasleto abbate concilium indicente et praesidente.

Episcopi sequuntur.

Willelmus Aberdonensis. Patricius Moravien-
sis commendatarius a Scona. Andreas Candidae
Casae et capellae regiae Strivilingensis. Willel-
mus Dunblanensis. Robertus Orchadensis com-

mendatarius a Kinlos. Willelmus electus Le-
smorensis confirmatus.

Vicarii generales sedium vacantium.

Magister Gavinus Hamylton, ecclesiae metro-
politanae Glasguensis decanus, et ejusdem sede
vacante vicarius generalis. Magister Jacobus
Herven, decanus Dunkeldensis, et ejusdem sede
vacante vicarius generalis.

Abbates, priores et commendatarii.

Jacobus prioratus ecclesiae primatialis S. An-
dreae commendatarius.

Jacobus a Kalco et Melros commendatarius.

Georgius a Dunfermlyng commendatarius ar-
chidiaconus S. And. primatialis.

Malcolmus prior de Quithorne.

Donaldus abbas a Cupro.

Quintinus abbas monasterii Crucis regalis.

Gualterius abbas Vallis Lucis.

Alexander prior Pluschardenfis.

Willelmus commendatarius de Culros.

Jacobus abbas de Newbottle.

Adam abbas de Dundrayman.

.... abbas de Deyr.

Johannes prior de Mungster.

Doctores in theologia, licentiati et baccalarii.

Magister Petrus Sacellarius, collegii S. Salva-
toris infra civitatem S. Andreae canonicus
et praepositus ejusdem coadjutor, doctor
theologus.

M. Johannes Gryson, sacrarum literarum
professor.

M. Johannes Wynrame, ecclesiae metrop. pri-
matialis S. Andreae canonicus regularis, et
supprior, theologiae doctor.

F. Richardus Marshall Anglus, divinarum
literarum professor.

F. Robertus Leeche, ordinis praedicatorum
in theologia licentiatus.

M. Willelmus Cranston, praepositus de Scypuy
in theologia licentiatus.

M. Alexander Anderfone, collegii Aberdonensis
universitatis supprior in theol. licent.

M. Alexander Dick, sacrarum literarum ba-
ccalaureus.

M. Johannes Mayr, decanus facultatis theolo-
gicae universitatis S. Andrae, et Martinus
Balfour, doctores in theologia, annosi,
grandaevi, et debiles comparuerunt per
procuratores.

Ordines praedicatorum.

Johannes Gersouin provincialis.

F. Robertus Leeche.

F. Andreas Abercromby.

* Totum hoc concilium ejusque acta ordinata repetuntur, ac de novo confirmantur in concilio provinciali cleri Scotici-
ni A. D. 1559, uti patet ex MS. Parisiensi regio.

Ordines minorum de observantia.

- F. Johannes Paterfon, minister generalis.
F. Andreas Cottis, guardianus dicti ordinis apud S. Andream.
F. Jacobus Winchester, guardianus apud Perth.
F. Johannes Scott.

Ordines conventualium: ordines S. Augustini: ordines sanctissimae trinitatis de redemptione captivorum: ordines Carmelitarum.

- M. Johannes Spittel, praepositus beatae Mariae de campis, officialis S. Andreae principalis ac rector universitatis S. Andreae.
M. Abraham Weichtoun, praepositus de Dun-
glas officialis S. Andreae infra archiepi-
scopi
M. Jacobus Hamyltone, decanus Brichinenfis.
M. Johannes Sinclair, decanus a Restalrig.
M. Gregorius Hay, decanus de Dunbar.
M. Willelmus Lamb, rector a Coreis.
M. Johannes Thornton, praecentor Mora-
vienfis.
M. Johannes Stevenson, praecentor Glasguenfis.
D. Georgius Cryghton, praepositus S. S. tri-
nitatis prope Edinburgum.
M. Patricius Myrtoune, archidiaconus Aber-
donenfis.
M. Alexander Erskyne, subdecanus et offici-
alis Dunkeldenfis.
M. Archibaldus Boyne, praepositus de Dal-
zeil.
M. Alexander Ferret, praepositus de Fidolis.
M. Johannes Maccale, archidiaconus Lesmo-
renfis.
M. Arthurus Talzefere, canonicus Aberdo-
nenfis.
D. Nicolaus Roeh, praepositus de Taynes.
D. Andreas Dickfone, canonicus Dunkeldenfis.
D. Hugo Curroye, commendatarius de Strath-
phillan.
D. Andreas David, eruditus et studiosus in
theologia.
M. Johannes Macquin, divinarum scriptura-
rum interpres.
D. Robertus Leddal, supprior de Melros ordi-
nis Cisterciensis.
Secretarius et notarius in concilio Andreas E-
lipphantus.

Qui omnes convenientes, missa primitus so-
lenni ibidem in dicto templo fratrum praedica-
torum Edinburgen. de mandato reverendissimi
domini archiepiscopi, primatis, legati nati, prae-
sidentis, pro divina gratia fundenda, felicique in-
cremento et successu rerum gerendarum in prae-
senti concilio seu synodo cantata et finita, simul u-
nanimiter egredientes, se in aulam seu secretarium
refectionis dictorum fratrum contulerunt, et ibi-
dem omnibus in suo ordine sedentibus, et ex-
clusis excludendis, habita fuit concio per
eruditissimum in sacris licentiatum.

Sequuntur acta ordinata in praesenti concilio,

et inprimis circa reformationem morum.

1. De incontinentia ecclesiasticorum.

Haec praefens synodus provide attendens quatinus
constet ex clericorum incontinentia gravissima
ecclesiae scandala esse exorta, proinde pro hujus-
modi macula repurganda statuit decretum illud
concilii Basileensis de concubinariis, sessione vi-
cesima ad unguem observandum, et executioni
demandandum, cujus decreti tenor sequitur in
haec verba. "Sacrosancta synodus generalis
Basileensis in Spiritu Sancto legitime congrega-
ta universalem ecclesiam repraesentans ad perpe-
tuam rei memoriam statuit, ut quicumque clericus
cujuscunque status, conditionis, religionis, dignita-
tis etiam si pontificalis, vel alterius praecminentiae
existat, qui post hujus constitutionis notitiam,
quam habere praesumatur, per duos menses post
publicationem ejusdem, in ecclesiis cathedralibus,
quam ipsi dioecesani omnino facere teneantur,
postquam eadem constitutio ad eorum notitiam
pervenerit, publicus fuerit concubinarius, a per-
ceptione fructuum omnium beneficiorum suo-
rum trium mensium spatio sit ipso facto suspen-
sus, quos suus superior in fabricam vel aliam
evidentem ecclesiarum utilitatem, ex quibus hi
fructus percipiuntur, convertat, nec non et hu-
jusmodi publicum concubinarium, ut primum
esse talem innotuerit, mox suus superior teneatur
monere, ut intra brevissimum terminum concubi-
nam dimittat, quam si non dimiserit, vel dimis-
sam aut aliam publice resumpserit, jubet haec
sancta synodus, ut ipsum omnibus suis beneficiis
omnino privet, et nihilominus hi publici concu-
binarii, usquequo cum eis per suos superiores
post ipsarum concubinarum dimissionem, mani-
festamque vitae emendationem fuerit dispensa-
tum, ad susceptionem quarumcunque dignita-
tum, beneficiorum vel officiorum sint inhabiles;
qui si post dispensationem recidivo vomitu ad
hujusmodi concubinatum publicum redierint,
sine spe alicujus dispensationis, ad praedicta pror-
sus inhabiles existant. Quod si hi ad quos tali-
um correctio pertinet, eos, ut praedictum est,
neglexerint punire, eorum superiores tam in ip-
sos de neglectu, quam in illos de concubinato
modis omnibus digna punitione animadvertant.
In conciliis etiam provincialibus et synodalibus
adversus tales punire negligentes, vel de hoc cri-
mine diffamatos per suspensionem a collatione
beneficiorum vel alia condigna poena severiter
procedatur. Et si hi, quorum destitutio ad sum-
mum pontificem spectat, per provincialia conci-
lia, aut suos superiores propter publicum concu-
binatum reperiantur privatione digni, statim
cum processu inquisitionis ipsi summo pontifici
deferantur. Eaque diligentia et inquisitio in
quibuscunque capitulis generalibus et provincia-
libus quoad suos servetur, poenis aliis, contra
praedictos et alios non publicos concubenarios
statutis, in suo robore permansuris; publici au-
tem intelligendi sunt, non solum hi, quorum
concubinatus per sententiam aut confessionem in
jure factam, sed per rei evidentiam, quae nulla
possit tergiversatione celari, notorius est, et qui

^b Concil. B. fileen. sess. xx. c. 1.

mulierem de incontinentia suspectam, et infamatam tenet, et per suum superiorem admonitus ipsam cum effectu non dimittat." [Cum hoc nunc in praesenti concilio addito, quod ordinarii locorum in clericos non beneficiatos et in sacris ordinibus initiatos poenis arbitrariis animadvertent, juxta personarum infordescensium qualitatem, contemptum et in similibus delictis perseverantiam.] "Quia vero nonnulli jurisdictionem ecclesiasticam, pecuniarios quaestus a concubinariis percipere non erubescunt patiando eos in tali foeditate fordescere, sub poena maledictionis aeternae praecipit, ne deinceps sub pacto, compositione, aut spe alicujus quaestus talia quovis modo tolerant, aut dissimulent, alioqui ultra praemissam negligentiae poenam, duplum ejus quod propterea restituere ad pios usus omnino teneantur et compellantur; ipsas autem concubinas seu mulieres suspectas praelati modis omnibus curent a suis subditis etiam per brachii secularis auxilium, si opus fuerit, penitus arcendas. Qui etiam ex tali concubinato procreatos filios apud patres suos cohabitare non permittant. Jubet insuper haec sancta synodus, ut etiam in praedictis synodis et capitulis haec constitutio publicetur, et quilibet suos ad ipsarum concubinarum dimissionem diligenter hortetur.

Injungit praeterea omnibus secularibus viris, etiam si regali praefulgeant dignitate, ne ullum quaecunque inferant impedimentum, quocunque quaesito colore, praelatis qui ratione officii sui adversus suos subditos pro hujusmodi concubinato procedunt. Et cum omne fornicationis crimen lege divina prohibitum sit, et sub peccati mortalis poena necessario evitandum, monet omnes laicos tam uxoratos quam solutos, ut similiter a concubinato abstineant, nimis enim reprehensibilis est qui uxorem habet, si ad alienam mulierem accedat; qui vero solutus est, si continere nolit, juxta apostoli consilium uxorem ducat. Pro hujus autem divini observatione praecepti, hi ad quos pertinet tam salubribus monitis quam aliis canonicis remediis omni uti studio laborent." Et hoc ipsum in praesenti decreto contentum in praemissis etiam monialibus hujus regni, prout congruit, praesens conventio statuit et decrevit observari.

2. *Proles concubinarias in suis consortiis clerici non teneant.*

Item hortatur haec synodus, ne qui praelati aut alii ecclesiastici inferiores proles suas ex concubinato susceptas in suis consortiis teneant, nec in suis ecclesiis directe aut indirecte promoveri patiantur, neque eas baronibus quovis quaesito colore in conjugium de Christi patrimonio jungant, seu barones efficiant.

3. *Ne clerici vel monachi secularibus negotiis se immisceant.*

Similiter ordinatum est, ne ullus ecclesiasticus, habens unde juxta suum statum honeste vivere possit, immisceat se secularibus negotiis, praecipue mercaturam exercendo, aut lucri causa, ut emptam revendat, emens, alienave praedia conducendo, quo rusticis laboribus a spirituali exercitio, propria cura neglecta, abstrahatur.

4. *De vestibus clericorum.*

Item ut beneficiati et in sacris ordinibus constituti byretis rotundis, veteri clericorum more, duntaxat utantur, pileosque in ecclesiis et potissimum in choris et tempore divinorum omnino deponant, nec vestes, utputa caligas, et diploides, vel alias sectas, vel colorum prohibitorum, ut flavi, viridis, et id genus discoloris deferant, togas in ecclesiis, civitatibus, oppidis et villis insignioribus portent longas et talaris; itinerando vero togas habeant curtas, et manicatas, salva tantum loci et temporis necessitate; camisas habeant albas, et albae futurae, sub poena suspensionis in presbyteros, et excommunicationis in alios, per locorum officiales, commissarios, et decanos declaranda; a quibus quidem poenis non absolvantur, nisi prius praestita cautione de abstinendo in futurum sub poena arbitraria iudicis arbitrio juxta qualitatem personarum infligenda pro prima vice, et deinceps inobedientia crescente, augeatur et poena. Super quibus per singulos decanos in eorum visitationibus, et si quis fuerit, fiat diligens inquisitio: et qui culpabiles inventi fuerint, post duos menses a publicatione praesentis statuti puniantur ut supra. Si autem decani in praemissis deficiant, five ordinationis negligentes sint comperti, officiales tunc seu ordinariorum commissarii in eos ad suum arbitrium severius animadvertant.

5. *Circa nutriendas barbas, et non portantes tonsuras.*

Haec eadem conventio variis adducta argumentis, et rationibus circa barbarum usum propositis, universos et singulos hujus provinciae clericali fortis et ecclesiasticos per locorum ordinarios attente hortari decrevit, ut sui status et conditionis rationem habentes, et frequentes obrectationes contra barbatos compescantur, utque clerici a laicis distincti appareant, eorum barbas tondendas curent, utque singuli clerici, saltem in sacris initiati ordinibus, rasuram congruam in coronis habeant.

6. *De temperantia in victu clericorum.*

Item praesens conventio hortatur omnes hujusce regni praelatos, et alios ecclesiasticos beneficiatos, ut in posterum parcius et moderatius in eorum mensis vivant, omnium esculentorum et poculentorum exquisita superfluitate juxta uniuscujusque statum et praecminentiam rejecta, ut et largius et liberalius pauperibus in eorum necessitatibus subveniatur, publicamque jejuniorum ab ecclesia indictorum violationem et in se et in suis familiis evitent, ne ex hoc de caetero eorum malo exemplo laici scandalizentur, precaturque in ecclesiasticorum mensis frequentiores lectiones sacrarum scripturarum^c juxta decretum concilii Toletani tertii, cujus tenor est talis. "Pro reverentia Dei et sacerdotum universa constituit synodus, ut quia solent crebro mensis otiosae fabulae interponi, in omni sacerdotali convivio lectio divinarum scripturarum immisceatur, per hoc enim et animae aedificantur ad bonum, et fabulae non necessariae prohibentur."

^c Forsan deest in MS. fieri.

7. *De gravitate habituum clericorum.*

Item hortandi sunt praelati et ecclesiastici omnes, ut dehinc graviores solito portent habitus, qui potius lanei sint decentis coloris quam ferici, gravitatem prae se ferentes, meminerintque illius versiculi divi Bernardi, viz. "Discite pontifices in fraeno quid facit aurum."

8. *De clericorum servis.*

Item curent praelati ut tales in eorum familiares continuosque domesticos alant et teneant, qui non aleatores, scortatores publici, ebrii, pugnaces, scurrae, noctivagi, aut divini numinis blasphematores, execrabilibus juramentis affueti reputentur; sed qui catholici, probae vitae, bonorum morum ac conversationis honestae habeantur, in bonorum exemplum et iniquorum terrorem: "cum," ut ait Bonaventura, "infamia familiae patrisfamilias dedecus videtur."

9. *De visitationibus monasteriorum.*

Item statutum est insuper, ut singuli locorum ordinarii, cum primum poterunt, visitent monasteria canonicorum regularium, monachorum non exemptorum et monialium, ad effectum, ut quae inibi corrigenda repperint, insequenti et proximo concilio sive conventionem per visitationis chartam referant. De exemptis vero, ut qui quid per inquisitionem in vicinis parochiis ex publica voce et fama contra honestatem vitae monasticae, et debitam loci reparationem, redditumque administrationem deprehenderint, similiter futuro concilio insinuetur, ut ex hoc de remedio prospiciatur opportuno; et qui praetendunt exemptiones in talibus monasteriis, ut easdem una cum numero religiosorum commendatarii, et illa in commendas obtinentes, ut suas provisiones in dicto futuro concilio exhibeant, ad effectum considerandi et intelligendi ad quid ipsi rigore suarum provisionum teneantur, et quatenus privilegiis sit deferendum. Et circa haec praesens conventio exhortatur in Domino omnes et singulos abbates, priores, commendatarios, administratores locorum exemptorum, cum constet regularem disciplinam et monasticam magna ex parte, negligentia eorum qui illis superintendere tenentur, labefactatam et collapsam esse, quatenus ipsi et eorum quilibet, prout decet bonos pastores, vitam, mores, devotionem et studia religiosorum reformanda, et ad primum religionis statum reducenda curent, quo inibi et devotio vigeat, et populi murmur devitetur.

10. *De apostatis revocandis.*

Simili modo mandat praesens conventio omnibus et singulis abbatibus, prioribus, commendatariis, administratoribus, ministris et locorum praesidentibus, quatenus ipsi et eorum quilibet omnimodam diligentiam faciant pro perquirendis et comprehendendis suis apostatis et fugitivis, qui extra loca eis subiecta aufugerint, auxilium ordinariorum illorum locorum, in quibus existunt, ad effectum comprehensionis et reductionis eorum invocent, et si id per ipsos fieri non possit, auxilium secularis potestatis per ipsos ordinarios imploretur.

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11. *De monialibus apostatis revocandis.*

Item statutum est ut ordinaria auctoritate compellantur omnes priorissae monialium, ut quam primum dispersas suas moniales in unum congregent respective, ad effectum, ut cum ipsis simul cohabitent et sustententur, vel in aliis locis monialium hujus regni pacificis collocentur, priorissae impensa sustentandae.

12. *De criminibus puniendis cum invocatione brachii secularis.*

Item contra adulteros, incestuosos, sacrilegos notorios ordinat haec conventio, ut primum praelatorum ordinatione charitative admoneantur ad vitae emendationem, et si nihilominus in suis publicis criminibus postea inforduerint, fulminentur monitoriales cum omnibus censuris ecclesiasticis, etiam cum interdicto, quam citissime fieri poterit, ad quod etiam, si opus fuerit, auxilium brachii secularis invocetur, et super hujusmodi publicis excessibus diligentem per decanos investigationem fieri ordinat, si non licet in delinquentium ecclesiis, saltem in vicinis ecclesiis sit talis indagatio.

13. *De visitationibus.*

Praeterea constituit haec conventio, quia nonnunquam tales, ut praefertur, publici excessus, tam majores quam minores, per decanos et alios visitatores occultari et dissimulari dicuntur, eo quod pecuniarios quaestus a concubinariis et adulteris accipere non erubescant, faciendo eos in tali foeditate fordescere, quod decani ante suspensionem sui officii jurent de fidei ejus administratione in omnibus, et cum excessus majores eorundem commissariis deferunt, non prius recipiantur ab eis, quam illi denuo jurati fuerint, quod omnes et singulos excessus majores, tam publicos quam privatos, sibi per assisas et inquisitiones utrobique delatos, absque gratia et favore, prece vel pretio, nullis penitus omissis, commissariis tradant, qui si reperti fuerint in praemissis culpabiles, perjurii, amissionis officii, et aliis arbitrariis poenis per ordinarium infligendis subiaceant; et super hoc solcite inquirent commissarii, prout domino ordinario sunt responsuri.

14. *De glebis ecclesiae non dandis in infeudationem vel emphytheosim.*

Ne residentia vicariorum et rectorum in animarum curis et sacramentorum ecclesiae administratione negligatur, statutum est, ut nullae fiant infeudationes seu emphyteutariae locationes, vel ad longum tempus assedationes quarumcunque glebarum, seu terrarum ecclesiasticarum aliquarum, rectoriarum vel vicariarum per ipsos rectores vel vicarios in posterum, nisi prius causis tractatis; et ne tales infeudationes seu locationes per ordinarios vel capitula admittantur ullo modo vel auctorizentur; quae, si factae fuerint, pro nullis reputentur, et quod longas assedationes novemdecim annorum de et supra fructibus et decimis garbalibus dignitatum ecclesiarum cathedralium post pontificales majorum ac praebendarum, rectoriarum particularium, mensis episcopalibus et abbatialibus separatim,

O

tis, praesens conventio easdem fieri usque ad proximam conventionem generalem vel concilium provinciale statuendum, inchoandum, et celebrandum, penitus prohibet, et ne ordinarii seu capitula interim aliquas huiusmodi admittant seu auctorizent; et si quas interea fieri contigerit, nullae et invalidae sint, et qui in praemissa interesse praetenderint, in proximo concilio audiantur.

15. *Circa neglectam doctrinae reformationem, divinique verbi ministerium.*

Praesens conventio mature avisata, actis concilii Tridentini in sessione quarta inhaerens, ad haereses reprimendas, et ad aedificationem Christi fidelium in verbis doctrinae evangelicae, statuit et ordinat, ut quilibet episcopus, ut et loci ordinarius in grege sibi commissio verbum Dei, juxta gratiam sibi a Domino concessam, per se saltem quater in anno, nisi legitimo praepeditus impedimento, ultra communes praedicationes, quae per alios ad id admissos fient, praedicet; et si qui ordinarii haecenus minus exercitati fuerint in praedicando, sese, quam primum fieri poterit, ad huiusmodi officium tam proprio studio quam aliorum doctorum reddant habiles, et ad hunc effectum viros in sacris literis eruditos in suam familiam et contubernium asciscant. Cujus quidem concilii, acti seu decreti tenor sequitur in haec verba.

“ Eadem sacrosancta synodus piis summorum pontificum et probatorum conciliorum constitutionibus inhaerens, easdemque amplectens, et illis adjiciens, ne caelestis ille thesaurus sacrorum ciborum, quem Sanctus Spiritus sua liberalitate hominibus tradidit, neglectus jaceat, statuit et decrevit; quod in illis ecclesiis, in quibus praebenda aut praestimonium, seu quovis alio nomine nuncupatum stipendium, pro lectoribus sacrae theologiae deputatum reperitur, ipsi episcopi, archiepiscopi, primates, et alii locorum ordinarii eos, qui praebendam aut praestimonium seu stipendium huiusmodi obtinent, ad ipsius sacrae scripturae expositionem et interpretationem per seipsos, si idonei fuerint, alioqui per idoneum substitutum ab episcopis, archiepiscopis, primatibus, et aliis locorum ordinariis eligendum, etiam per subtractionem fructuum cogant et compellant. De caetero vero praebenda, praestimonium seu stipendium huiusmodi non nisi personis idoneis, et qui per seipsos id munus explicare possunt, conferantur; et aliter facta, provisio nulla sit et invalida. In ecclesiis autem metropolitanis vel cathedralibus, si civitas insignis seu populosa, ac etiam in collegiatis existentibus in aliqua insigni oppido etiam nullius dioecesis; si ibi clerus numerosus fuerit, ubi nulla praebenda aut praestimonium seu stipendium ejusmodi deputatum reperitur, praebenda quomodocunque, praeter quam ex causa resignationis, prima vacatura, cui aliud onus incompatible inunctum non sit, ad eum usum ipso facto perpetuo constituta et deputata intelligatur; et quatenus in ipsis ecclesiis nulla vel non sufficiens praebenda foret, metropolitanus vel

episcopus ipse per assignationem fructuum alicujus simplicis beneficii, ejusdem tamen debitis supportatis oneribus, vel per contributionem beneficiorum suae civitatis et dioecesis, vel alias, prout commodius fieri poterit, de capituli consilio ita provideat, ut ipsa sacrae scripturae lectio habeatur; ita tamen quod quaecunque aliae lectiones vel consuetudine, vel alia quavis ratione institutae, propter id minime praetermittantur: ecclesiae vero quarum annui proventus tenues fuerint, et ubi tam exigua est cleri et populi multitudo, ut theologiae lectio in eis commode haberi non possit, saltem magistrum habeant ab episcopo capituli consilio eligendum, qui clericos aliosque scholares pauperes grammaticam gratis doceat, ut deinceps ad sacrae scripturae studia, adjuvante Deo, transire possint; ideoque illi magistro grammatices alicujus simplicis beneficii fructus, quos tamdiu percipiat, quamdiu in docendo persistit, assignentur: dum tamen beneficium ipsum suo debito non fraudetur obsequio, vel ex capitulari vel episcopali mensa condigna aliqua merces persolvatur, vel alias episcopus ipse aliquam rationem ineat suae ecclesiae et dioecesi accommodam, ne pia haec utilis ac fructuosa provisio quovis quaesito colore negligatur. In monasteriis quoque monachorum, ubi commode id fieri queat, etiam lectio sacrae scripturae habeatur, qua in re, si abbates negligentes fuerint, episcopi locorum in hoc ut sedis apostolicae delegati, eos ad id opportunis remediis compellant. In conventibus vero et aliorum regularium locis, in quibus studia commode vigere possunt, etiam lectio sacrae scripturae habeatur; quae lectio a capitulis generalibus vel provincialibus assignetur dignioribus magistris. In gymnasiis etiam publicis ubi tam honorifica et caeterarum omnium maxime necessaria lectio instituta non fuerit, religiosorum principum et rerum publicarum pietate et charitate ad catholicae fidei defensionem et incrementum, sacraeque doctrinae conservationem et propagationem instituat, et ubi instituta foret et negligenter restitueretur, et ne sub specie pietatis impietas diffeminetur.”

16. *Quomodo eligi debeat publicus lector.*

“ Statuit eadem sancta synodus neminem ad huiusmodi officium lectionis tam publice quam privatim admittendum esse, qui non prius ab episcopo loci de vita, moribus et scientia examinatus et probatus fuerit, quod tamen de lectoribus in claustris monachorum non intelligatur.”

17. *Privilegia studentium in theologia.*

Docentes vero scripturam ipsam sacram, dum publice in scholis docuerint, et scholares qui in ipsis scholis student, privilegiis omnibus de perceptione fructuum praebendarum et beneficiorum suorum in absentia a jure concessis plene gaudeant et fruuntur. “ Quia vero christianae reipublicae non minus necessaria est praedicatio evangelii quam lectio, et hoc est praecipuum episcoporum munus; statuit et decrevit eadem sancta synodus omnes episcopos, archiepiscopos,

^c Concil. Trident. sessio v. cap. 1. De reformatione.

^d Concil. Trident. sessio v. cap. 2. De reformatione.

primates, et omnes alios ecclesiarum praelatos teneri per seipsos, si legitime praepediti non fuerint, ad praedicandum sanctum Jesu Christi evangelium; si vero contigerit episcopos et alios praelatos legitimo detineri impedimento, juxta formam generalis concilii viros idoneos assumere teneantur ad hujusmodi praedicationis officium salubriter exequendum, si quis vero hoc adimplere contempserit, districtae subiaceat ultioni”.

18. *De praedicatione verbi populo.*

“^e Archipresbyteri quoque, et plebani, et quicunque parochiales vel alias curam animarum habentes ecclesias quocunque modo obtinent per se vel alios idoneos, si legitime impediti fuerint, diebus saltem dominicis et festis solennibus plebes sibi commissas pro sua et earum capacitate pascant salutaribus verbis, docendo ea quae omnibus scire necessarium ad salutem, annunciandoque eis, cum brevitate et facilitate sermonis, vitia, quae eos declinare, et virtutes, quas eos sectari oportet, ut poenam aeternam evadere, et caelestem gloriam consequi valeant; id vero si quis eorum praestare negligat, etiamsi ab episcopi jurisdictione quavis ratione se exemptum esse praetenderit, etiamsi ecclesiae quovis modo exemptae dicantur, aut alibi alicui monasterio etiam extra dioecesim existenti forsitan annexae vel unitae (modo reipsa in dioecesi sint) provida pastoralis sollicitudo non desit, ne illud impleatur, “parvuli petierunt panem et non erat qui frangeret eis”. Itaque ubi ab episcopo moniti trium mensium spatio muneri suo defuerint, per censuras ecclesiasticas aut alias “ad ipsius episcopi arbitrium cogantur, ita ut etiam, si ei expedire visum fuerit, ex beneficiorum fructibus alteri, qui id praestet, honesta aliqua merces persolvatur, donec principalis ipse resipiscens officium suum impleat. Si quae vero parochiales ecclesiae reperiantur subjectae monasteriis, in nulla dioecesi existentibus, si abbates et regulares praelati in praemissis negligentes fuerint, a metropolitanis, in quorum provinciis dioeceses ipsae sitae sunt, tanquam, quoad hoc, sedis apostolicae delegatis, compellantur, neque hujus decreti executionem consuetudo vel exemptio, aut appellatio, vel reclamatio, five recursus impedire valeat, quousque desuper a competente, iudice, qui summarie, et sola facti veritate inspecta, procedat, cognitum sit ac decisum. Regulares vero cujuscunque ordinis, nisi a suis superioribus, de vita, moribus, et scientia examinati et probati fuerint, ac de eorum licentia, etiam in ecclesiis suorum ordinum praedicare non possunt, cum qua licentia personaliter se coram episcopis praesentare, et ab eis benedictionem petere teneantur antequam praedicare incipiant.

Item in ecclesiis, quae suorum ordinum non sunt, ultra licentiam suorum superiorum, etiam episcopi licentiam habere teneantur, sine qua in ipsis ecclesiis non suorum ordinum nullo modo praedicare possint, ipsam autem licentiam episcopi gratis concedant.”

19. *De pseudopraedicatoribus.*

“Si^f vero, quod absit, praedicator errores aut scandala disseminaverit in populum, etiamsi in monasterio sui vel alterius ordinis praedicet; episcopus ei praedicationem interdicat. Quod si haereses praedicaverit, contra eum secundum juris dispositionem, aut loci consuetudinem procedat; etiamsi praedicator ipse generali vel speciali privilegio exemptum se esse praetenderet. Quo casu episcopus auctoritate apostolica, et tanquam sedis apostolicae delegatus procedat. Curent autem episcopi, ne quis praedicator vel ex falsis informationibus, vel alias calumniose vexetur, justamve de eis conquerendi occasionem habeat. Caveant praeterea episcopi, ne aliquem vel eorum, qui cum sint nomine regulares, extra claustra tamen, et obedientiam religionum suarum vivunt; vel presbyterorum secularium, nisi ipsis noti sint, et moribus atque doctrina probati, etiam quorumlibet privilegiorum praetextu in sua civitate vel dioecesi praedicare permittant, donec ab ipsis episcopis super ea re sancta sedes apostolica consulatur, a qua privilegia hujusmodi, nisi tacita veritate, et expresso mendacio, ab indignis extorqueri verisimile non est. Quaestores vero eleemosynarii, qui etiam “quaestarii” vulgo dicuntur, cujuscunque conditionis existant, nullo modo nec per se, nec per alium, praedicare praesumant; et contrafacientes ab episcopis et ordinariis locorum, privilegiis quibuscunque non obstantibus, opportunis remediis omnino arceantur.”

20. *Quod rectores et episcopi quater in anno praedicent.*

Circa quae quo frequentioribus divini verbi praedicationibus instruatur populus statutum est, ut ecclesiarum parochialium rectores, qui iudicio ordinarii ad praedicandum fidei rudimenta suis parochianis habiles et idonei censebuntur, per se saltem, juxta statuta provincialia et synodalia pro praedicatoribus edita, quater in anno praedicent; illis vero rectoribus, qui juvenes et inidonei ad id visi fuerint, per locorum ordinarios injungatur, ut se ad hoc quam primum reddant per studia in gymnasiis publicis habiles, et interim per alios praedicatores suis sumptibus de licentia ordinarii admittendos, praedicare, et suas vices supplere debeant; qui autem grandaevi et doctrinae incapaces sunt, hoc ipsum similiter per alios fieri procurent, quos etiam per suam praesentiam praedicantes auctorizare oportebit, et hoc ultra communes praedicationes seu instructiones per vicarios seu curatos singulis dominicis diebus et forsan aliis majoribus festis, ut supra, fiendas. De rectoribus vero, monasteriis, collegiatis ecclesiis, seu aliis piis locis in communis seu mensae capitulari unitis, ordinatum est ut abbates, priores, et commendatarii, administratores, praepositi, decani et praebendati, rectoriarum portionarii, per se vel eorum membra inferiora, seu alios eorum nomine, populum in fide instruendum

^e Ibidem.

^f Conc. Trid. ut supra.

curent, et id suis parochianis fieri procurent; priorissas autem monialium archiepiscopo sancti Andreae subjectas, ut a sede apostolica sententiatum est, sub poenis in dicto provinciali statuto et aliis statutis desuper editis, ad idem teneri decrevit, quae de novo publicari et praesentibus inseri in hac synodo decretum est.

21. *Quod in unaquaque ecclesia cathedrali sit theologus, et juris canonici professor.*

Concilium seu conventio verbi divini seminationem insequens pro sustentatione doctorum et eruditorum in theologia, ac jure pontificio, apud ecclesias cathedrales et civitates, statuit; ut universi et singuli locorum ordinarii apud suas ecclesias cathedrales habeant continuo unum doctorem theologum, licentiatum vel baccalaureum in theologia, et similiter canonistam in jure pontificio qualificatum; utque theologus praedictus omni die legibili, saltem in unaquaque hebdomade, in sacris literis publice legat, et interpretetur, ac tam in eadem cathedrali quam in aliis ecclesiis praedicet, cui interpretanti et praedicanti civitatis illius episcopus et canonici, si voluntas fuerit, intersint, canonista quoque similiter jus canonicum publice in dicta ecclesia ac civitate profiteatur, cui ipsi canonici et reliqui ipsius civitatis clerici intersint; pro quorum theologi ac canonistae sustentatione quilibet ordinarius deputabit aliquod beneficium de proximo vacaturum ad suam dispositionem spectans infra suam ecclesiam, ad valorem annum pro theologo ad minus centum librarum, pro canonista vero centum marcarum Scoticae monetae, pro perpetuis futuris temporibus, ipsis et eorum successoribus, in iisdem officiis remansuris. Qui ambo theologus ac canonista legere et docere circa festum divi Michaelis die 29 mensis Septembris proxime futuri incipient. Provisum est quoque per hanc synodum quod usque ad vacationem beneficiorum praedictorum, ad praemissum effectum disponendorum, quilibet ordinarius suis propriis sumptibus a dicto festo divi Michaelis eos honeste sustentabit ad ratam et quantitatem dictarum summarum.

22. *Quod in unoquoque monasterio sit unus theologus.*

Similique pro effectu ad eundem modum, ut sacrarum literarum studia et virtutes, ipsi Deo acceptae, in monasteriis, ut olim, secundum Deum florent, ordinatum est ut singuli abbates, priores, commendatarii, praelaturarum majorum administratores inveniant et sustentent theologum religiosum vel secularem, qui singulis diebus, ut supra, infra septa monasteriorum divinas literas, prout auditoribus expedierit, legere teneatur, et in ecclesiis ipsis monasteriis annexatis, ut praemittitur, praedicent. Praelati etiam beneficia ad eorum dispositionem spectantia obtinentes iisdem theologis et eorum successoribus pro eorum sustentatione de beneficiis ad valorem centum marcarum provideant; non habentes vero beneficia ad eorum dispositionem et praesentationem ad praedictum effectum, cujusmodi sunt illi Cif-

terciensis ordinis, eundem theologum propriis expensis, juxta praefatae summae rationem, praefato theologo honeste secundum statuta sui ordinis sustentando providere curent, ea tamen lege adjecta, quod per hanc ordinationem eleemosynae consuetae religiosorum mendicantium et praedicatorum non abstrahantur vel minuantur.

Item ut in monasteriis de se etiam evadant et efflorent viri literati, et in divino eloquio et pastu animarum salutari concionatores, haec sancta conventio praecipit, ut ex uniuscujusque hujus regni dioecesis monasteriis, juxta ipsorum monasteriorum facultates, transmittantur duo aut unus religiosi, vel religiosus ad literarum capacitatem maxime habiles, et ingeniosi, ad universitates omnes proximas vel alias, ut illis libuerit, ibidem saltem ad quadriennium in theologia et sacris litteris studendo remansuri, quo spatio completo remittantur ad ipsas universitates alii religiosi praedicti, pari modo literis vacaturi.

23. *Monasteria praecipua e quibus ad literarum studia praefati effectus causa religiosi juxta monasteriorum vires et facultates sint emittendi, sequentem per modificationem notantur.*

Et primo de dioecesi S. Andreae.

Ex monasterio prioratus sancti Andreae religiosi	3
Ex monasterio de Aberbrothick religiosi	3
Ex monasterio de Dunfermling	2
Ex monasterio sanctae crucis	2
Ex monasterio de Calco	2
Ex monasterio de Cupro	2
Ex monasterio de Cambuskenneth	1
Ex monasterio de Lundoris	1
Ex monasterio de Balmerino	1
Ex monasterio de Coldinghame	1
Ex monasterio de Pettynweyme	1
Ex monasterio de Dryburgh	1
Ex monasterio sive prioratu de North Berwick	1
Ex prioratu de Haddington seculari	1

Glasguensis dioecesis.

Ex monasterio de Pasleto	2
Ex monasterio de Melros	2
Ex monasterio de Kylwyning	1
Ex monasterio crucis regalis	1
Ex monasterio de Jedbourg	1
Ex monasterio de Halywoode	1
Ex monasterio dulcis cordis	1

In dioecesi candidae casae.

Ex prioratu de candida casa	2
Ex monasterio Vallis lucis	1
Ex Dundraman	1
Ex Tungland	1

In dioecesi Aberdonensi.

Pro monasterio de Deyr	1
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In dioecesi Moravienfi.

Ex monasterio de Kinlos	1
Ex monasterio Pluscardensi	1

In dioecesi Dublanensi.

Inchechaffray	1
Culros	1

Culros ———— 1
Inchemahome ———— 1

In dioecesi Dunkeldensi.

Pro monasterio S. Columbae. ————

De reliquis dioecesibus tacetur.

24. *De methodo et forma praedicationum.*

Praedicatores nunc instituti et alii secundum praesentem hanc synodum post hujusce statuti publicationem hanc formam in suis praedicationibus observare tenebuntur, ut in omnibus et singulis eorum praedicationibus seu concionibus priorem partem epistolae vel evangelii declarando tribuant, et illius partem posteriorem, prout tempus et auditores patientur, catechismo, hoc est communi doctrina et instructione impertiantur. Catechismus autem vocamus brevem instructionem in fidei rudimentis, vel in expositione articulorum fidei, decalogi, praeceptorum, peccatorum septem mortalium, septem ecclesiae sacramentorum, dominicae orationis, et salutationis angelicae, ac operum misericordiae; in quibus omnibus praedicationibus injungatur ut populum christianum inducant ad sacramenti altaris condignam venerationem, et ut de viribus et usu ejusdem pro captu populi populum instruant.

25. *Forma in interpretatione theologiae servanda.*

Ut ea circa haec in publicis gymnasiis et academiiis legantur, per quae doctrinam utilem tradi et populi Christi fidelis eruditioni consuli speretur; statuit haec sancta synodus, ut lectores scripturarum et theologiae in singulis collegiis ita scripturis et theologiae vacent, ut aliqui scripturas quam purissime juxta ecclesiae catholicae sensum tractare nitantur; alii vero ex eis ad veterum doctorum amussim et catholicae fidei veritatem theologiae diversis horis uniuscujusque hebdomadae diebus certis legendae incumbant, sic ut taliter studentes in sacris ipsis scripturis et speculativis proficiant, et ut idipsum quilibet ordinarius intra suam universitatem, si quam habeat, aliter vero intra suam civitatem et apud ecclesiam cathedralem fieri procuret; mandat ipsa synodus, quod utilius et pro tempore efficacius fore censetur, ut quantum ad speculativam theologiam, lectionum probatorum auctorum, ut sunt opera magistri sententiarum, commentarii divi Thomae Aquinatis, sancti Bonaventurae, et aliorum potius vacent.

26. *Ordo servandus in lectionibus grammaticis et dialecticis.*

Vult et jubet haec eadem synodus, ut provideat uniuscujusque universitatis rector, causis ad id moventibus non oblitis seu omissis, ne ulli ad scholas dialecticas recipiantur, nisi qui Latine et grammaticae loquuntur, ac ut dialecticam artem experiri cupientes, priusquam ad illam artem admittantur, examinentur, et ne ad bacalaureatus seu magisterii lauream recipiantur, nisi prius ad hoc de examinis rigore idonei fuerint reperti; alioqui ad proximam inferiorem classem deponantur, quod nisi factum

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fuerit, rectori imputabitur.

Item provideat archidiaconus sancti Andreae pro magistro scholae grammaticalis in civitate sancti Andreae, qui sit in grammaticis versatus, et bonis moribus imbutus, et in aliis ad instruendos pueros et puerilia grammaticae non calentes requisite sufficiens.

27. *De qualitate ordinandorum.*

Quantum ad qualitatem ordinandorum in moribus, scientia et titulo, statutum est ut in his sacrorum canonum dispositio ad unguem servetur, et inter ordinandum singuli ordinarii habeant prae oculis eandem dispositionem, quam ordinando legere, aut legi facere, faciant, quodque nulli ecclesiastici quantumcunque in literis et moribus sufficientes par spatium trium annorum proximorum a data praesentium futurorum in sacris ordinibus initientur, nisi beneficiati, religiosi, titulum canonicum ad valorem viginti librarum monetae Scoticae habentes; circa quae discutiant diligenter ordinarii eorum titulos; omnis etiam illicitae factionis absit suspicio, et super hoc fidem faciant ordinandi. Et ordinati per ultramarinos episcopos, undecunque venerint, altari non se immisceant, et nisi per dioecesanos aut eorum deputatos ad id commissos, in quorum dioecesibus altari sese junxerunt, praevio examine idonei comperiuntur, nequaquam permittantur, ita ut idonei secundum praesens institutum reperti admissionem mereantur, et in his inidonei comperti ab ordinum suorum executione, usquequo habiles et idoneos sese reddiderint, suspendantur.

28. *Quod singuli curati examinentur per ordinarios.*

Circa parochialium ecclesiarum curatos seu ministros curam animarum exercentes, quia ex illis plurimi per totum regnum Scotiae adeo insufficientes, tam in literatura, moribus, et discretionem, quam in aliis ad id officium necessariis deprehenduntur; statuit praesens conventio, ut per locorum ordinarios intra hinc et ultimum Decembris proxime futurum vocentur coram ipsis ordinariis, vel eorum commissariis ad id deputatis, seu deputandis, singuli curati ad subeundum examen debitum in omnibus eorum officio convenientibus, cum certificatione; quod si non comparuerint, ab eorum curis et officiis amoveantur, et qui idonei fuerint, et comparuerint, continuabuntur et de novo admittentur; inidonei vero juxta juris dispositionem rejicientur, et ad se removendum in proximis eorum synodis praemoneantur, ac singuli curatorum inidoneorum vicarii seu rectores, ubi vicarii proximi non sunt, admoneantur, ut per se in eorum curis deserviant, quoadusque per ordinarium loci de qualificato curato provisum fuerit. Pensionarii vero vicarii, ut ex statutis et consuetudine in eorum curis et pensionibus resideant, ac per se deserviant sub poena suspensionis et confiscationis fructuum omnium suorum, pensionum, et reddituum in pauperum usus per ordinarium applicandorum; et similiter examinentur isti vicarii pensionarii, ac eorum parochiani et vicini, seu

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alii notitiam habentes, et qui inhabiles inventi fuerint, statim ordinariis deferantur ad effectum, ut in concilio provinciali seu conventione generali proxime futura contra eos de remedio provideatur opportuno.

29. *Qualis eligi debeat, ut fiat curatus.*

Idoneitas autem praeficiendorum animarum curis et beneficiis ecclesiasticis in hoc potissimum consideretur, ut qui ad hujusmodi beneficia et curas admitti petunt, satisfacere velint et possint officiis suis sibi committendis, suoque munere juxta beneficii et curae exigentiam fideliter fungi, sintque viri legitimae aetatis, moribus graves, literarum scientia praediti, ad sacros ordines promoti, nec corpore vitiiati; alioqui sciant hi, quorum interest, tales ad beneficia ecclesiastica et curas admitti cupientes, ut siquidem dolo, gratia, favore, vel negligentia in his peccaverint, non minorem sibi quam illis malis vicariis aut curatis, quos ipsi dictis curis praefecerint, poenam incurrisse, quae eis in districto Dei judicio imminet, et praeterea poenis etiam canonicis sese sciant esse obnoxios. Et praeterea ut ipsi vicarii et curati suo officio attentius absque impedimento deservire teneantur, negligentiaque eorum liberius puniatur; ordinatum existit, ut quilibet vicarius pensionarius seu curatus curam animarum exercens, et in eo residens, habeat singulis annis pro suo feudo et stipendio viginti marcas Scoticae monetae, vel aequivalentiam computandam proficuis horto et curae adjacentibus, hoc proviso, quod in illis dioecesibus seu locis, ubi viget fames et caritas victualium ex hostium invasionibus et incurSIONibus, ordinarii locorum in suis synodis hujusmodi sterilitatis et caritatis annonae causa stipendia charitative augeant, ac ut non liceat ipsis vicariis pensionariis seu curatis per substitutos, sed per seipsos in dictis curis residere, alioqui loco curatorum licebit vicario seu rectori alium loco non residentis deputare de ordinarii consilio, absque ulteriori processu; quum pensionarii non residentes per ordinarios veniant privandi, juxta illud Tridentini concilii, quod incipit: "inferiora vero beneficia:" cujus tenor sequitur in haec verba, "inferiora vero beneficia ecclesiastica praesertim curam animarum habentia, personis dignis et habilibus, et quae in loco residere, ac per seipsos curam earum exercere valeant, juxta constitutionem Alexandri III. in Lateranensi, quae incipit: "quia nonnulli": et aliam Gregorii X. in generali Lugdunensi concilio, quae incipit: "licet canon:" editam, conferantur. Aliter autem facta collatio, sive provisio, omnino irritetur; et ordinarius collator poenas constitutionis generalis concilii, quae incipit: "grave nimis:" se noverit incursum.

30. *Quod nemo plura beneficia incompatibilia habeat.*

Quicumque plura curata habeat, aut alia incompatibilia beneficia ecclesiastica, sive per viam unionis ad vitam seu commendae perpetuae, aut alio quocunque nomine et titulo, contra formam sacrorum canonum, et praeser-

tim constitutionis Innocentii III. quae incipit: "de multa:" recipere ac simul retinere praesumpserit, beneficiis ipsis juxta ipsius constitutionis dispositionem ipso jure praesentis canonis vigore privatus existat.

31. *Quod ordinarii dispensationes exhiberi faciant.*

Ordinarii locorum quoscunque plura curata aut alia beneficia incompatibilia beneficia ecclesiastica obtinentes dispensationes suas exhibere districte compellant, alias procedant juxta constitutionem Gregorii X. in generali Lugdunensi concilio, quae incipit: "ordinarii:" quam eadem sacrosancta synodus innovandam censet et innovat; addens insuper, quod ipsi ordinarii etiam per idoneorum vicariorum deputationem et congruae portionis assignationem omnino provideant, ut animarum cura nullatenus negligatur, et beneficia ipsa debitis obsequiis minime defraudentur; appellationibus et exemptionibus quibuscunque, etiam cum judicum specialium deputatione, et illorum inhibitionibus in praemissis minime suffragantibus.

32. *De unionibus beneficiorum.*

Uniones perpetuae a quadraginta annis citra factae examinari ab ordinariis, tanquam a sede apostolica delegatis, possunt, et quae per surreptionem vel abreptionem obtentae fuerint, irritae declarentur; illae vero quae a dicto tempore citra concessae, vel in toto vel in parte effectum nondum sunt sortitae, et quae deinceps ad cujusvis instantiam fuerint, nisi eas ex legitimis et rationabilibus causis coram ordinario loci vocatis, quorum interest, verificandis factas fuisse constiterit, per surreptionem obtentae praesumantur, ac propterea, nisi aliter a sede apostolica declaratum fuerit, viribus omnino careant.

Beneficia ecclesiastica curata, quae cathedralibus, collegiatis, seu aliis ecclesiis vel monasteriis, beneficiis seu collegiis, aut piis locis quibuscunque perpetuo annexa et unita reperiuntur, ab ordinariis locorum annis singulis visitentur; qui solcite providere procurent, ut per idoneos vicarios perpetuos (nisi ipsis ordinariis pro bono ecclesiarum regimine aliter expedire videbitur) ab eis pro tertiae partis fructuum aut majori vel minori, arbitrio ipsorum ordinariorum, portione, etiam super certa re assignanda, ibidem deputandos, animarum cura laudabiliter exerceatur; appellationibus, privilegiis, exemptionibus, etiam cum judicum deputatione, et illorum inhibitionibus quibuscunque in praemissis minime suffragantibus.

33. *Ordinarii loca exempta visitent.*

Locorum ordinarii quascunque ecclesias quomodolibet exemptas, auctoritate apostolica singulis annis visitare teneantur, et opportunis remediis providere, ut quae reparari indigent, reparentur, et cura animarum, si qua illis immineat, aliisque debitis obsequiis minime defraudentur; appellationibus, privilegiis, consuetudinibus etiam ab immemoriabili tempore praes-

praescriptis, judicum deputationibus et illorum inhibitionibus penitus exclusis.

in omnibus, juxta morem praefatum in illis servatum et servandum.

34. *Circa clericos parochiales.*

Statuit synodus, ut clerici parochiales per se deserviant in eorum officiis, vel praesentent in singulis synodis sufficientem substitutum, per ordinarium admittendum, in ipso officio deservientem, qui honestus sit, et novit honeste vices sui principalis in officio hujusmodi supplere; alioqui si id non factum fuerit, mulctetur tertia parte emolumentorum clericatus prima vice, et secunda bina pauperibus applicanda, et deinceps arbitrio ordinarii poena puniatur.

35. *De testamentis, et quod executores computum reddant et rationem.*

Haec conventio statuit, ut registrentur autentice omnia testamenta, et defunctorum bonorum inventaria, ad executionem nominatorum, et bonorum intermissorum conservacionem, a quibus per officiales et commissarios ordinarios singulis annis de bonorum et rerum fideli administratione computum et ratio omnium reddatur, prout ad id admonendi sunt tam in confirmationibus, quam in redditione computorum, ut provideatur super indemnitate prolium; pupillorum, legatariorum, et aliorum interesse habentium per sufficientem rationem, et aliter, prout de jure, et ne decani vel commissarii aliqua testamenta confirment, nisi prius receptis juramentis ab executoribus de fidelitate et veritate inventariorum, et de pretiis bonorum.

36. *Circa testamenta dioecesanorum Orcadenisum, ad modum et morem solitum et debitum reliquarum provinciae Scoticae dioeceseon reducend. et observand.*

Praesens provinciae Scoticae generalis conventio, seu concilium provinciale legitime convocatum, servatis primitus de jure et consuetudine servandis, ac longis et justis super infra scriptis tractatibus et considerationibus praehabitis disputatis et discussis, pro perpetuis futuris temporibus, et ad perpetuam rei memoriam constituit, decrevit, et ordinavit; quod in condendis testamentis et bonorum innotationibus, tam in testatis quam non testatis ab intestato decedentium per omnes et singulas totas et integras insulas Orcaden. et Zetlandiae, et alias partes ubilibet per dioeceses et jurisdictionem spiritualem subjectas Orcadeni ecclesiae, omnes et singuli Orcadenes dioecesani eidem legi et consuetudini subjaceant, quibus caeteri in aliis quibuslibet Scotiae provinciis ac dioecesebus; quodque defunctorum dioec. Orcaden. executores nominati, et utcumque testantium et non testantium, seu ab intestato decedentium, bonorum intermissores ad conficienda bona inventaria, eaque ordinario aut ejus commissariis exhibenda et confirmanda curent, et pro eis ordinaria debita et solita satisfacere teneantur: quod si non fecerint, seu aliquis eorum non fecerit, licebit dicto ordinario et ejus commissariis, servatis processibus in similibus consuetis, de dictis bonis five testatis five non testatis executores dativos ad ejus arbitrium dare et constituere

37. *De examinatione notariorum.*

Ordinatum est praeterea, ut vocentur notarii in singulis dioecesebus per eorum ordinarios respective ad subeundam novam examinationem secundum juris consuetudinem, et parlamentorum regni exigentiam, qui vocari statuuntur ad hos dies, ad quos vocandi sunt ecclesiarum curati, inter hanc et primam suarum dioeceseon synodum, ad effectum examinationis; utque interea fiat inquisitio inter eorum vicinos per commissarios ad hoc deputandos, super firma existimatione, legalitate et fideli exercitio tabellionatus et officiis hujusmodi, antequam ad examinationem veniant: ubi habita examinatione, idonei reperiuntur, admittantur, et statim literas suarum admissionum recipiant; inidonei vero ab executione officii suspendantur, sic quod in posterum eorum instrumenta pro nullis et invalidis in judicio et extra habeantur; nec non quod notarii admissi imprimant, vel subscribant sua signa, quibus in instrumentis usi sunt et usuri, in libris officialium illarum dioeceseon, five commissariorum, coram quibus et per quos examinentur, et contumaces citatione praeventi usque ad comparitionem suspendantur, et tam admissi quam non admissi in synodis praedictis publicentur.

38. *De protocollis notariorum defunctorum.*

Statuit haec synodus et decrevit, ut protocollo, five libri et in breviaturae notariorum defunctorum decedentibus notariis, ad officialem illius dioecesis, in qua decedunt, actualiter deliberentur, et si hi libri protocoll. per notarios decedentes aliquibus in eorum testamentis legati fuerint, ineatur ratio seu transactio inter tales legatarios et scribas officialium, super proficuis et utilitate instrumentorum de protocollis extrahendorum, quae fienda curent singuli officiales in eorum officialibus et jurisdictione, et quod folia protocollorum in eorum receptione numerentur, et signentur per dictos officiales.

39. *De pluralitate beneficiorum.*

Quantum ad pluralitatem beneficiorum conventio seu concilium refert se ordinatis seu ordinandis in concilio Tridentino, nondum dissoluto, quod sic incipit: "Nemo quacunque etiam dignitate, gradu aut praeceminencia praefulgens, plures metropolitanas, seu cathedrales ecclesias in titulum five commendam, aut alio quovis nomine, contra sacrorum canonum instituta, recipere et simul retinere praesumat; cum valde faelix sit ille censendus, cui unam ecclesiam bene ac fructuose, et cum animarum sibi commissarum salute regere contigerit. Qui autem plures ecclesias contra praesentis decreti tenorem nunc detinent, una, quam maluerint, retenta, reliqua infra sex menses, si ad liberam sedis apostolicae dispositionem pertineant, alias infra annum dimittere teneantur; alioquin ecclesiae ipsae, ultimo obtenta duntaxat excepta, eo ipso vacare censeantur. De beneficiis inferioribus superius patuit."

40. *De foundationibus hospitalium et monasteriorum.*

De hospitalium statu et reformatione statutum est, ut quilibet ordinarius per suam dioecesim diligenter inquirat de foundationibus hospitalium ubicunque locorum intra ejus dioecesim fitorum, et si ipsarum foundationis chartae sive instrumenta reperiri poterunt, consideret diligenter, qui reditus et jura eisdem spectabant, et spectare deberent, et pro quibus et qualibus personis erant instituta, et de eorundem piorum locorum destructione, mutatione reddituum in alios usus, et a quibus de praesenti possidentur, et quo titulo; et idem fiat de capellaniis et aliis foundationibus, et officiis ecclesiasticis perpetuis, et in divinum cultum, et pro salute et suffragio animarum fundatis intra dioecesim; et quod in praemissis certi comperuerint, in sequenti conventionem generali, seu praelatorum concilio provinciali, ad effectum correctionis referant: circa quae hortatur haec conventio omnes et singulos abbates, priores, commendatarios, administratores, priorissas monialium, nec non praepositos, ac decanos ecclesiarum collegiatarum, et qui ad hoc tenentur, quatenus eleemosynas per ipsos pauperibus mendicantibus erogari solitas, renovandas et continuandas curent, ac suas ecclesias tam in parietibus quam in tectis ruinosas, ac defectuosas reparent, et restaurent; et desuper singuli ordinarii in suis visitationibus proxime futuris diligentem inquisitionem et discussionem habeant, nec non ut hujusmodi eleemosynarum dispensatio viris fidelibus et discretis ac honestis committatur, qui pauperum curam in illis locis agant, atque ut uniuscujusque monasterii magistri fabricae et operum directores, quatenus singulis annis in ecclesiis fieri debet, ad loca ecclesiastica ipsis monasteriis et ecclesiis praefatis annexata, pro defectuum correctione visitanda mittantur, hortatur et ordinat.

41. *Quod beneficia patronatus non conferantur nisi praevio edicto.*

Item ad evitandas lites in beneficialibus, ne ex ignotis procedatur interdum ad conferendum beneficia, quae ad aliorum patronatum spectant, statuit concilium, ne per locorum ordinarios provisiones quorumcunque beneficiorum, in non maxime clavis, nisi praevio edicto publice et summarie tam de vacationibus quam de jure patronatus ipsorum praesentantium, juxta cap. fid. de elect. lib. vi. cognito. Exceptis his, quae ad ipsorum ordinariorum dispositionem collationemque pleno jure pertinent, et de quorum patronatu certo et liquido constat, cuicunque vel quibuscunque fiant aut concedantur, utque registra omnium collationum apud singulos ordinarios, et eorum quemlibet remaneant.

42. *Ad sustentationem et persistentiam seminariorum verbi divini, quo christiana plebs pascenda est.*

Archiepiscopus primas, episcopi ordinarii, et alii inferiores de clero, in concilio praesenti provinciali conventionem generalem episcoporum, et cleri regni Scotiae repraesentantes, ad

perpetuitatem sermocinantium per provinciam, et eorundem sustentationem, ne praedicantes ipsi victu et necessariis destituantur, assignarunt pro se et aliis respective praedicatoribus sermocinaturis, per quemlibet praelatum, in suis locis et populo subiecto, praedicandi beneficia sequentia, cum provisione fienda de non resignandis illis per possessores in praedudicium sermocinantium, ut instrumentis desuper captis continetur.

Sequitur praedicatoribus assignatum.

- Pro archiepiscopo S. Andreae rectoria seu ecclesia de Mutzerz.
- Pro archiepiscopo Glasguensi vicaria Glasguensis seu Glasgu. secunda.
- Pro episcopo Aberdonensi praecentoria aut praebenda de Crouden.
- Pro episcopo Moraviensi rectoria de Inverka-then.
- Pro episcopo candidae casae rectoria de Szertzerfy.
- Pro episcopo Dumblanensi praebenda de Kippin.
- Pro episcopo Dunkeldensi archidiaconatus Dunkeldensis.
- Pro episcopo Lesmorensi archidiaconatus Lesmorensis.
- Pro episcopo Orcadeni praepositus de Kulzenay aliter Orknay.
- Pro episcopo Brechinensi subdiaconatus Brechinensis.
- Pro episcopo Rossensi archidiaconatus Rossensis.
- Pro episcopo Cathanensi archidiaconatus Cathanensis.
- Pro prioratu S. Andreae vicaria trinitatis S. Andreae.
- Pro monasterio de Aberbrothec vicaria de Kerymure.
- Pro monasterio de Pasleto vicaria de Kilmahome.
- Pro monasterio Kilwyning vicaria de Domlop.
- Pro monasterio de Dumfermling vicaria de Muffilburgh.
- Pro monasterio de Kelso vicaria de Lynthon.
- Pro monasterio sanctae crucis vicaria de Falkirk.
- Pro monasterio de Driburg vicaria de Killymuyr.
- Pro monasterio de Lundoris vicaria Dumdey.
- Pro monasterio de Scona ecclesia Kylernad in dioec. Cathanensi.
- Pro Inchmahomo vicaria Linthrathen.
- Pro monasterio de Melrofs vicaria de Hasseden.
- Pro prioratu de Coldynhame vicaria de Edinburgh.
- Pro prioratu de Quhythorne vicaria de Glassantone.
- Pro Kynlofs.
- Pro monasterio S. Columbae insulae vicaria de Lesslia.
- Pro monasterio de Jedburg vicaria de Dunbian.
- Pro monasterio de Deyr vicaria de Petterburgh.
- Pro monasterio de Balmerino rectoria de Logymarthe.
- Pro Cupro.

Pro

Pro Glenlu.

Praelati monasteriorum non habentes beneficia ad eorum dispositionem; dent pensiones condignas ad sustentationem praedicantium.

Prioratus de Northberwick vicaria de Largo.

Item visum est praesenti concilio, rerum et temporis qualitate pensata, ut in principio sive exordio concionum, seu post eandem finitas, fervetur vetus et receptus invocandi modus, dicendi "Pater noster" pro gratia obtinenda, cum salutatione angelica ad beatissimam virginem, ad divinam gratiam pro felici et fructuoso sermone fiendo impetrandam apud Dominum Deum, ut fiat in fine sermonis oratio pro animabus defunctorum; ex recepta ecclesiae consuetudine.

43. *Pro haeresibus extirpandis.*

Item pro haeresibus extirpandis in praesenti concilio statutum est, ut singuli locorum ordinarii in suis dioecesibus deputent haereticas pravitatis inquisitores viros pios, probos, eruditos, et in theologia doctos, qui etiam sint bonae conversationis, et famae, et magnae circumspeditionis, et qui cum exactissima diligentia perquirent de haeresibus, et coercendis erroribus, et peregrinis opinionibus contra sacramenta ecclesiastica, et aliis; quique inquirere teneantur de libris damnatis haeticorum, et de fide male sentientium, et ubi comperti fuerint, ad locorum ordinarios deferantur. Et praeterea singuli abbates et priores, commendatarii, administratores, provinciales, ministri et guardiani in suis monasteriis, coenobiis, et locis, hoc idem circa suos subditos et religiosos faciant, diligenter cellas suorum religiosorum perscrutentur, ut quicquid ibi haeticorum librorum, aut contra fidem sentientium repertum fuerit, etiam ad ordinarios deferatur.

44. *Sequuntur nonnullae ordinationes ad reprimendas haereses tum utiles tum necessariae.*

Inprimis statutum est, ut ordinarii locorum quantum commode fieri poterit, pro tempore et locorum ratione contra haeticos diligentem et exactam inquisitionem faciant singulis annis, universales quidem quater in anno, particulares vero toties quoties occasio sese obtulerit; ut eas quidem juxta suam possibilitatem et diligentiam exequantur, secundum formam et dispositionem sacrorum canonum, et praescriptorum capitulum, ut officium cap. "objurans," cap. "et commissae," cap. "ut statuta de haeticis" lib. 6. aliaque jura canonica insequendo ac regni consuetudines hactenus observatas contra haesiarchas et sacramentarios, et praecipue contra sacramentum eucharistiae obloquentes cum severitate juris procedant; et ut inhibitoriales literae fulminentur sub poena excommunicationis ipso facto, tam contra praedicantes absque permissione ordinarii, quam contra ipsos parochianos, seu alios eorundem hujusmodi praedicatorum auditores, ne ipsis audientiam et assistentiam seu favorem praestent; et cum hoc literae reginae suis literis conformes per ordi-

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narios impetrentur, et executioni demandentur.

Item hortatur praesens conventio in visceribus Jesu Christi, ac pro pietatis zelo, quo omnium haesium in hoc regno occasionibus facilius occurratur, ipsique ordinarii ad easdem reprimendas liberior et expeditius procedere valeant, quatenus ipsi et eorum quilibet, nec non caeteri praelati, et beneficiati regni mores suos ac vitam juxta praesentis concilii statuta et ordinationes ad meliorem frugem emendent, ne ad aliorum mores districte corrigendos prorumpant ipsi notoriis criminibus irretiti, cum hinc maximum populi scandalum, et plurima haeseos pars oriatur.

45. *De praedicatione verbi Dei.*

Tertio, ut provideat quisque infra suam dioecesim, ut rectores ecclesiarum, et aliae ecclesiasticae personae laborent pro viribus, ut verbum Dei inter suos greges pure, sincere, et catholice tractetur; veri ceremoniarum ecclesiasticarum usus praedicentur modeste, sobrie et prudenter; vetentur opiniones falsae, crimententur palam et arguantur. Ut ecclesiis, monasteriis, collegiis, universitatibus, aliisque piis locis unitis et incorporatis, frequentioribus verbi Dei praedicationibus provideatur; statutum est ut abbates, priores, commendatarii, administratores, ac talium locorum praepositi, mercedes solito liberaliores, tam religiosis quam aliis, ad disseminandum verbum evangelicum per ordinarios admittendis, restituant; et ut ipsi praedicatores ad unamquamque ecclesiam parochialem benigno hospitio recipiantur, quodque ad hunc effectum ipsi religiosi ex singulis parochialibus ecclesiis, de quibus nullas habent annuas pensiones victualium, pro quatuor praedicationibus per ipsos annuatim ad supplendum rectorum vires fiendis, pro suis laboribus et expensis in toto quadraginta suscipiant annuatim solidos: pro qua summa officiales seu commissarii singulorum dioecesium, ubi per ipsos religiosi ad hoc vocati fuerint, ostensis testimonialibus contra rectores suas monitiones simplices fulminent, atque eosdem cogant ad earundem summarum solutionem aliis juris remediis opportunis; proviso tamen, quod iidem religiosi sint contenti pensionibus victualium, quas annuatim ex monasteriis, prioratibus, aliisque locis seu collegiis pro suis praedicationibus percipere solent.

46. *Quoties praedicetur, per rectores inquiretur.*

Item, ut singuli curati in suis libris notent, quoties nomine rectoris seu vicarii in singulis ecclesiis concionati fuerint ipsi religiosi, et id ipsum locorum ordinariis in suis synodis intiment, atque etiam ut per ipsos praedicatores commonstrent vicarii seu curati residentes de certo die festo praedicationis futurae, ut ipsis parochianis suis debito tempore denuncient, quo frequentiores sermonibus interesse possint, et curati hoc negligentes per ordinarios feriantur, et de singulis in praesenti statuto contentis diligenter inquirent decani in suis visitationibus.

Q

47. *Arti-*

47. *Articuli inquirendi per inquisitores haereticae pravitatis.*

Item expedire visum est, ut notentur specialiter nonnulli articuli, super quibus haereticae pravitatis inquisitores suas inquisitiones formare potissimum deberent, et ut concionatores in suis praedicationibus, ubi eorundem occasiones inciderint secundum temporis et auditorum exigentiam, inter quos tales errores noti fuerint, contra eosdem diserte et prudenter populum doceant et instruant, juxta catholicae ecclesiae sententiam. Caveant tamen, ne ubi nullas inter suos auditores haereses compertas habuerint, de haeresibus ignotis mentionem faciant.

48. *Sequuntur ipsi articuli.*

Inprimis contra eos, qui adversus ipsa sacramenta aut ceremonias, ritus, et observantias ab ecclesia receptas in sacramentorum administratione obganniant, et praesertim in sacramento baptismi; et sacrificium missae, confirmationis, extremae unctionis, poenitentiae, et aliorum, contra censuras ecclesiasticas contemnentes.

Contra negantes aliquas animas sanctorum cum Christo jam regnare usque ad diem judicii, et cum anima et corpore glorificato postea in aeternum regnaturas.

Contra negantes animae immortalitatem.

Contra negantes retributionem operum in fide et charitate.

Contra negantes purgatorium post hanc vitam.

Contra negantes intercessionem et orationes sanctorum.

Contra negantes imagines licitas esse in ecclesiis christianorum, et sanctiones canonicas.

Contra negantes auctoritatem concilii generalis in decernendis dogmatibus.

In universum contra adversantes quibuscumque determinatis vel determinandis per concilium generale, seu provinciale; contra derogantes jejunii et festis indictis ab ecclesia.

Item ut unusquisque ordinarius intra suam dioecesim perquirat, qui apud se detinent aliquos libros rythmorum, seu cantilenarum vulgarium, scandalosa ecclesiasticorum et hominum vel constitutionum vituperia et probra, seu famosos libellos, aut quamcunque haeresim in se continentia; et ubi comperti fuerint, prohibeantur sub poenis actorum parlamenti atque confiscentur, et comburantur, interdiciaturque universaliter eorum usus, mercatura, impressio et lectura sub similibus poenis.

49. *Circa orationem dominicam.*

Concilium decrevit ex moventibus hoc vulgare quod sequitur hic inferendum.

“ *De Pater noster et ave Mariae in concionibus.* ”

In omnium concionum publicarum exordiis fervetur vetus et receptus invocandi modus per orationem dominicam, cum salutatione angelica ad virginem Deiparam, pro gratia impetranda; et in earundem concionum fine ore

pro animabus defunctorum in recepta ecclesiae consuetudine.

50. *Sequuntur nonnullae ordinationes penes officium procuratorum.*

De exercitio curiarum consistorialium in earum causis deducendis.

Inprimis prohibet haec conventio, ne qui procuratorum in foro ecclesiae causas vel intendendas vel defendendas temere suscipiant, absque integra et plenaria informatione veritatis, si non in primo, saltem in secundo termino; et si super veritate informationum fidem facere recusaverint, denegetur eis procurandi suffragium; habita vero in hunc modum informatione, prudenter explorent, et quilibet eorum exploret merita causae, et quo jure tam actio quam defensio notatur; quod si per se hoc non valeant praestare, a doctioribus exquirant quid juris, et si comperiant nec canonico nec civili, nec municipali et consuetudinario juri aut stylo fore consonam informationem, suo patrocinio destituant, quantumvis magna merces proponatur, et idipsum faciant, ubicunque in causae deductione de ejusdem injustitia apparuerit.

51. *De calumniatoribus et infamibus.*

Secundo statutum est contra manifestos calumniatores, qui nihil pensi habent, justane an injusta causa fuerit, dummodo spes lucri inde fulserit, quod quicumque de talibus fuerint convicti scienter iniquam causam suscepisse, vel sustinere, vel qui ad deterrendas partes a justis actionibus vel defensionibus proferre praesumant, sese causas vel lites ad annum, biennium, vel aliud longum tempus protrahunt, calumniandi animo, tanquam perjuri ac infames habendi sint, ac ab officio procurandi repellantur, et insuper per ordinarios locorum ad arbitrium puniantur, et idipsum de his sentiendum est, qui cum litigatore de quota litis paciscantur, aut paciscentibus suam operam pollicentur.

52. *Frustratorias rationes objiciens punitur.*

Item statutum est, quo meliori fide causae tractentur, ut si quis frustratorias rationes vel exceptiones exhibuerit, iisdem repulsis, vel si admissae fuerint, non probatis, exhibens easdem seu producens, ultra expensas litis parti solvendas, taxatione judicis pro prima vice duos solidos persolvat, pro secunda vice in eadem causa duplicetur, pro tertia triplicetur, et sic deinceps crescat poena, et insuper suspectus de calumnia habeatur, et poenas prioris statuti subjaceat; si tertio in eadem causa hoc admiserit, et si quas nova relevantes, aut alia quaevis legitima ratione non admissibili produxerit, antequam ad eorundem reformationem de stylo admittatur, juret, quod suam omnimodam diligentiam fecit pro iisdem pertinentibus ad ipsum terminum fabricandis, nec ex industria insufficientes proposuisse ad effectum prorogandi terminum.

53. *Inducere ad jurandum.*

Item statutum est, si quis sive persuasionibus partes

partes aut testes ad sophisticè jurandum induxerit, aut frustrationis causa subterfugere fecerit instrumentave corrumpenda procuraverit, aut a protocollis varianda, quod poenis de calumniatoribus subiaceat.

Item ne quis longioresurgeat dilationes, quam causae necessitas postulat, ne suae diffidiae aut malitiae falsas excusationes protelandae animo lites, scripturasve semel in iudicium productas supprimat, ne iudiciorum cursus defectu earundem impediatur, aut causas ultro inter se per collusionem dormire patiantur.

54. *De ordine advocatorum in iudicio.*

Item statutum est, ut in iudicio aut causarum disputationibus omnia modeste et absque tumultu fiant et dicantur, et ut quisque suo loco sedeat, quoadusque per scribam ejus causa fuerit in suo turno nominata; et tamen breviter desiderio termini respondeat; et sic vicissim alterius partis procurator agat, atque a vulgari sermone, quantum fieri possit, in iudicio abstineant, reliqui vero audiant in silentio, ad quos illa causa non spectat.

55. *Advocati iudici honorem deferant.*

Item statutum est, ut scribae curiarum in omnibus se promptos et paratos ad obsequendum et parendum iudicum mandatis praestent, eisdemque debita obsequia, honorem et observantiam deferant, atque intra sui officii fines sese contineant, viz. praeter communia nihil, inconsulto iudice, nullaque acta confessionis, nisi prius per iudicem considerata, an levia, an secus, an simoniaca, an usuraria, aut alias illicitas pactiones continentia fuerint; et ne ultra taxam veterem a procuratoribus vel partibus exigant, praetextu cujuscunque consuetudinis aut corruptelae hactenus obtentae, cujus taxae veteris tenor infra habetur².

56. *Ut processus per scribam ante iudicem diligenter observetur.*

Item, ut scripta conserventur et processus partis, statutum est, ut registra fiant, in quae omnium processuum omnes partes et scripta in iudicium producta redigantur, ne pereat ulla pars processus, aut ne alia, quam coram iudicibus producta primo fuerint, supponantur, principalia vero remaneant ad registrum, et accepto signo receptionis et nomen recipientis in libro notent, quae tantum quamprimum scribae restituantur. Et si in praemissis culpabiles reperti fuerint scribae, provideant potestatem habentes de aliis eorum loco.

57. *Circa reformationem processuum curiarum consistorialium.*

Inprimis pro abbreviatione processuum statutum est et ordinatum, ut in omnibus causis summam viginti librarum non excedentibus, procedatur in posterum modo quo sequitur; ut parte citata, et minime comparente, in poenam contumaciae ejusdem proponatur petitio rem petitam continens, et specificatio qualitatum ejus-

dem ad articulos referatur, et statim statuatur termini ad articulandum et probandum, et cite-
tur pars ad respondendum positionibus et articulis, nec non ad videndum testes, et alia probationum genera recipi, jurari et admitti, qui si apparuerint, etiam in poenam contumaciae rei nolentis comparere, ad effectum praemissum admittantur, et examinentur, et statim ad acta fiat publicatio, et statuatur terminus ad dicendum contra producta, nec non ad proponendum omnia jura, parte adhuc citata, in quo termino parti similiter contumaci statuatur terminus ad pronunciandum.

Si vero pars rea in primo termino comparuerit, qualificetur statim petitio et inferatur apud acta; si nolit statim respondere facta fide corporaliter, quod instanter respondere nequeat, detur ei triduum ad respondendum, aliudve breve tempus ex arbitrio iudicis, quo termino si ad respondendum contumax fuerit, quovis modo procedatur, ut supra; si vero comparuerit, et dilatorias proposuerit, discutiantur similiter exclusa omnium reservationum causa, et lite postmodum contestata, statuatur unicus terminus ad probandum, et post probationes productas si reus petat articulos directe contrarios, juratus primitus solenniter quod sint necessarii pro defensione causae, statuatur ei brevis terminus ad probandum eisdem una cum oblati contra personas testium et peremptoriis ac omnibus iuribus, quibus uti voluerit in causa procedendum, quibus hinc inde discussis et probationibus desuper deductis, quam brevissime juxta formam veteris statuti, super hoc statuatur terminus ad pronunciandum in principali causa, in omnibus tamen his salvis legibus partium defensionibus replicatis, duplicatis, cum arbitrio boni iudicis necessariis absque tamen calumnia.

Et eodem modo quo supra in omnibus causis summariis procedatur, et breviter, ut in causis infra viginti libras, procedatur aequè summarie, salvis infra scriptis atque solitis, et in causis infra decem libras.

In plenariis vero usitate procedend. forma servetur, terminis tamen arbitrio iudicis, salvis substantialibus iudicii, corripendis et abbreviandis.

In causis vero appellationum statutum est, si ab interlocutorio appellatum fuerit, ut nequaquam devolvantur, nisi causae in appellatorio contentae relevantes apparuerint, juxta juris dispositionem, absolutiones vero nullae dentur ante devolutionem, sive ab interlocutoria sive a definitiva fuerit appellatum; praeterea, si decretum fuerit per iudicem, ad quem bene iudicatum et male appellatum, ab interlocutoria remittatur causa iudicii, a quo nec retineatur; et ante omnia cavendum, ne dentur citationes seu inhibitiones super appellatoriis nisi visis apostolis.

Item infra archidiaconatum Laudoniae non committatur examinatio testium ulli notario curiae primatialis, nisi ipsi officiali Laudoniae sive commissariis ad hoc faciendum per supplicationem primitus requisitis.

Item si quis citatus ad respondendum positi-

² Deest haec taxa in exemplari.

onibus et articulis comparens jurare aut respondere requisitus per judicem, recusaverit; decrevit conventio quod juris dispositioni consonum esse agnoscat, ut pro confitente contenta in articulis habeatur, ne per recusantis malitiam retardetur jus alterius partis.

Item caveant procuratores, et alia membra judiciorum, ne judicem vociferationibus in judicio turbent, ne vel palam vel occulte apud collitigantes blasphemias, aut convitiis traducant, sed si laesos sese quovis modo comperiant, modeste de remedio juris protestentur.

Item statutum est, ne quis officio procurandi sese ingerat, nisi catalogo fuerit descriptus, atque hi omnes sint parati ad praemissa observanda; et ad omnimodam reverentiam judici, tam in judicio quam extra, exhibendam, et qui in

praemissis culpabiles fuerint, arbitrio judicis coerceantur, vel a procurandi officio penitus suspendantur.

58. Demum haec sancta synodus seu concilium provinciale statuit et decrevit proximum futurum concilium provinciale hujus provinciae Scoticae habendum et celebrandum fore, sine quacunque praetermissione, aut literis mittendis vel fulminandis, in loco fratrum praedicatorum Edinburg. infra oppidum Edinburgi die Jovis 14 mensis Augusti proxime futuri; salvis tamen impedimentis, alioquin dicto die Jovis 14 Augusti praefati in civitate S. Andreae seu oppido de Lynlythquho sancti Andreae dioecesis; sic et prout rogati et requisiti fuerint episcopi ordinarii, praelati, et alii de clero regni praedicti.

Papae Rom.
JULIUS III. I.

Archiepisc. Cant.
THO. CRANMER. 18.

Anno Christi
1550.

Reg. Angliae
EDWARD. VI. 4.

Convocatio Cantuariensis. Ex reg. Cranmer. fol. 13.

CONVOCATIO praelatorum et cleri provinciae Cantuar. per breve regium ad xxii. diem Aprilis prorogata, per aliud ad xi. diem Octobris prox. et ab illo die ad xxi. Januarii;

et abinde per breve regium dat. primo die Januarii, ad tertium Martii prox. et ab eo die ad xiv. Octobris continuata fuit.

Articles to be enquired of in the visitation of the diocese of London by the reverend father in God, Nicolas bishop of London, in the fourth year of our sovereign lord king Edward the sixth, by the grace of God king of England France and Ireland, defender of the faith, and in earth of the church of England and also of Ireland, the supreme head, next and immediately under our saviour Christ.

I charge thee therefore before God, and the Lord Jesus Christ, who shall judge the quick and dead at his appearing in his kingdom; preach the word, be instant in season, out of season; reprove, rebuke, exhort with all long suffering and doctrine. St. Paul, 2 Tim. iv. 1, 2.

WHETHER your curates and ministers be of that conversation of living, that worthily they can be reprehended of no man?

Whether your curates and ministers do haunt and resort to taverns or alehouses, otherwise than for their honest necessity, there to drink and riot, or to play at unlawful games?

Whether your ministers be common brawlers, sowers of discord rather than charity among their parishioners, hawkers, hunters, or spending their time idely, or coming to their benefice by simony?

Whether your ministers or any other persons have committed adultery, fornication, incest, bawdry, or to be vehemently suspected of the same, common drunkards, scolds, or be common swearers and blasphemers of God's holy name?

Whether your parsons and vicars do maintain their houses and chancels in sufficient reparation; or if their houses be in decay, whether they bestow yearly the fifth part of the fruits of the benefice, until the same be repaired?

Whether your parsons and vicars absent from their benefice, do leave their cure to an able minister; and if he may dispend yearly xx. l. or above in this deanery, or elsewhere, whether he doth distribute every year among his poor parishioners there at the least, the fortieth part of

the fruits of the same. And likewise yearly spending c. l. whether he doth find one scholar at either of the universities, or some grammar school, and so for every other hundred pound one scholar?

Whether every dean, archdeacon, and prebendary, being priest, doth personally by himself preach twice every year at the least, either where he is entitled, or where he hath jurisdiction, or in some place united or appropriate to the same?

Whether your minister having license thereunto, doth use to preach; or not licensed, doth diligently procure other to preach that are licensed: or whether he refuseth those, offering themselves that are licensed; or absenteth himself, or causeth other to be away from the sermon, or else admitteth any to preach that are not licensed?

Whether any by preaching, writing, word or deed hath or doth maintain the usurped power of the bishop of Rome?

Whether any be a letter of the word of God to be preached or read in the English tongue?

Whether any do preach, declare, or speak with any thing in derogation of the book of common prayer, or any thing therein contained, or any part thereof?

Whether

Whether any do preach and defend, that private persons may make insurrection, stir sedition, or compel men to give them their goods?

Whether the curate doth admit any to the communion before he be confirmed, or any that ken not the "Pater noster," the articles of the faith, and ten commandments in English?

Whether curates do minister the communion for money, or use to have trentals of communions?

Whether any of the Anabaptists sect, or other, use notoriously any unlawful or private conventicles, wherein they do use doctrine or administration of sacraments, separating themselves from the rest of the parish?

Whether there be any that privately in their private house have their masses contrary to the form and order of the book of communion?

Whether any minister doth refuse to use the common prayers, or minister sacraments in that order and form as is set forth in the book of common prayer?

Whether baptism be ministred (out of necessity) in any other time than on the Sunday or holy day, or in another tongue than English?

Whether any speaketh against baptism of infants?

Whether any be married within degrees prohibited by God's law, or separate without cause lawful, or is married without banns thrice first asked three several holy days or Sundays openly in the church at service time?

Whether any curate doth marry them of other parishes without their curate's license and certificate from him of the banns thrice solemnly asked?

Whether any faith that the wickedness of the minister taketh away the effect of Christ's sacraments?

Whether any faith that christian men cannot be allowed to repentance, if they sin voluntary

after baptism?

Whether your curates be ready to minister the sacraments, visit the sick, and bury the dead, being brought to the church?

Whether any minister useth wilfully and obstinately any other right, ceremony, order, form, or manner of communion, mattens, or evensong, ministration of sacraments, or open prayers, than is set forth in the book of common prayer?

Whether your curate, once in six weeks at the least, upon some Sunday or holy day before even song, do openly in the church instruct and examine children not confirmed in some part of the catechism, and whether parents and masters do send them thither upon warning given by the minister?

Whether any useth to keep abrogate holy days or private holy days, as bakers, shoemakers, brewers, smiths, and such other?

Whether any useth to hallow water, bread, salt, bells, or candles upon candlemasday, ashes on ashwednesday, palms on palmsunday, the font on Easter even, fire on paschal, or whether there was any sepulchre on goodfriday?

Whether the water in the font be changed every month once, and then any other prayers said than is in the book of common prayer appointed?

Whether there be any images in your church, tabernacles, shrines, or covering of shrines, candles, or trindles of wax, or feigned miracles in your churches or private houses?

Whether your church be kept in due and lawful reparation, and whether there be a comely pulpit set up in the same, and likewise a coffer for alms for the poor, called the poor mens box or chest.

Whether any legacies given to the poor, amending high ways, or marrying poor maids, be undistributed, and by whom?

Papae Rom.
JULIUS III. 1.

Archiepisc. Cant.
THO. CRANMER. 18.

Anno Christi
1550.

Reg. Angliae
EDWARD. VI. 4.

Advocatio concessa archiepiscopo Cantuariensi. Ex reg. Cranmer. fol. 330. a.

OMNIBUS Christi fidelibus, ad quos praesentes literae pervenerint, Thomas permissione divina Norwicen. episcopus, salutem, gratiam et benedictionem. Cum tam de antiqua laudabili longaevaeque et legitime praescripta consuetudine haecenus inconcussa usitata et observata, quam etiam de singulari praerogativa ecclesiae metropolitanae Christi Cantuariensis fuerit et sit usitatum et observatum, quod archiepiscopus Cantuariensis pro tempore existens, cuilibet suffraganeorum suorum in episcopum alicujus ecclesiae cathedralis suae Cantuariensis provinciae regia auctoritate nominato, vel consecrato, immediate post consecrationem aut nominationem suam, ad aliquam ecclesiam cathedralem infra Cantuariensem provinciam, a qua ipsum episcopum prius consecratum ex regia nominatione ad aliam ecclesiam cathedralem ejusdem provinciae transferri

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contigerit, unum clericum idoneum praesentare et nominare possit et valeat ad annualem censum quinque librarum sterlingorum, tantisper impendendum et solvendum, quoad eidem sic nominato de aliqua dignitate, canonicatu, et praebenda vel de alio competenti beneficio ecclesiastico eidem sic nominato per consecratum vel nominatum translatum hujuscemodi fuerit sufficienter cautum et provisum; sciatis igitur me Thomam Thurlbye translatum episcopum Norwicensem antedictum, jura, libertates, consuetudines et praerogativam dictae ecclesiae metropolitanae Christi Cantuariensis pro posse meo adimplere volentem, dedisse et hoc praesenti scripto meo confirmasse reverendissimo in Christo patri et domino domino Thomae permissione divina Cantuariensi archiepiscopo, totius Angliae primati et metropolitano, primam et proximam

imam advocationem, nominationem et liberam dispositionem cujuscunque archidiaconatus, canonicatus, et praebendae in ecclesia mea cathedrali Norwicensi, seu cujuscunque alterius beneficii infra dioecesim Norwicensem meorum patronatus et collationis, cum illa vel eorum alterum sive unum, per mortem, resignationem, cessionem, permutationem, vel dimissionem, seu quocunque alio modo vacare contigerit, habendam et tenendam sibi et assignatis suis dictam advocationem, aut nominationem et liberam dispositionem dictorum archidiaconatus, canonicatus, et praebendae, seu beneficii cujuscunque; ita quod bene liceat & licebit praedicto reverendissimo patri vel ejus assignatis ad libitum suum auctoritate praesentium, quamcunque personam idoneam ad praedictum archidiaconatum vel canonicatum et praebendam, seu beneficium hujuscemodi primo et proximo vacaturum, post dationem praesentium, semel duntaxat et non ultra, quando primo et proxime, ut praefertur, vacare contigerit, conferre, nomi-

nare, seu praesentare, ac literas collationis, nominationis sive praesentationis de eisdem archidiaconatu, canonicatu, et praebenda, seu quocunque alio beneficio, ut praefertur, primo vacaturo cuicunque personae facere et concedere, ac alia omnia et singula obire, exercere, et perimplere, quae in praemissis et circa ea necessaria fuerint et quomodolibet opportuna, adeo libere et integre prout ego facere et perimplere, si praesens mea concessio facta non fuisset, ita quod pro prima et proxima vacatione, non liceat neque licebit mihi dictos archidiaconatum, canonicatum, et praebendam, seu beneficium hujuscemodi vacatura, alicui aliae personae conferre, quam illi solum personae, sic per dictum reverendissimum patrem vel ejus assignatum mihi nominand. vel assignand. In cujus rei testimonium sigillum nostrum praesentibus est appensum. Dat London. — die mensis Aprilis, anno Domini 1550. regnique felicissimi ejusdem domini nostri regis anno quarto, et nostrae translationis primo.

Papae Rom.
JULIUS III. 1.

Archiepisc. Cant.
THO. CRANMER. 18.

Anno Christi
1550.

Reg. Angliae
EDWARD. VI. 4.

Archbishop of Canterbury's letter to the bishop of Exeter, for an account to be taken of impropriations. Ex reg. Exon. Voysey. fol. 117.

AFTER my hearty commendations, the king's majesty's pleasure and high commandment to me is, that I shall, will, and charge you to ascertaine me the names of all such benefices within your diocese, as at any time have been or yet be impropried, in whose hands and possession the same been either in his majesty or any his grace's subjects, with your true certificate also of all vicaridges endowed within your said diocese, and of all other churches impropried, having no vicaridges endowed, being ei-

ther served by a manuell priest, or destitute of a curate, with the severall values of such vicaridges and benefices, as high as you may; sayle you not this to do with all celerity, as you tender the accomplishment of his grace's pleasure. Fare you well. From my manner of Lambeth, this xx of April, anno 1550.

Your loving brother,

T. CANT.

The council's letter to the bishop of London against weekly lectures, with the bishop of London's letter for the execution of it to the archdeacon of Colchester. Ex reg. Bonner. fol. 281.

AFTER oure righte hartie commendations unto your lordshipp; beinge advertised from the lorde chauncellor, that dyverse preachers within your dioces in the countie of Essex, doo preache, as well the worke dayes as tholie dayes, whereas some inconveniences may growe. Thinkinge not convenient that the preachers shulde have liberty so to do, bycause at this present yt may increase the peoples ydleness, who of themselves are so moche disposed to yt, as all the ways that may be devised, are

litle ynoughe to drawe them to worke. We therefore pray you to take order that they preache tholy dayes onelie, as they have been accustomed to doo. And the worke daies to use those prayers, that are prescribed unto them. Thus we bydde your good lordship mooste hartely farewell. From Grenewyche the 23d of June, 1550, your loving freindes, E. Somersfet, W. North, E. Clynton, G. Cobham, W. Pager, W. Herbert, W. Petre.

Another.

AFTER hartie commendations. Whereas the kinge majesties honourable counsaill ys certified by the lord chauncellor, that dyverse preachers in Essex doo use to preache upon worke dayes, whereby the people gyve themselves to moche ydleness, as by the tenor of the

letter from the saide honourable counsaill directed to me herein enclosed, doothe playnelie appeare. Thees are to will you, with convenient expedition, not onely to gyve warnynge to all curates within your archdeaconry, that they suffer noo preachinge upon worke dayes in

in their churches, but also to sende for all and singular preachers authorized within your saide archdeaconrye, and to admonyshe them of the same; chardginge them in the kyngs highnes name, that from henceforth they doo not preache but onely upon sondays and holy dayes, and none other dayes, excepte yt be at any buryall or marriage. And thus fare

you hartely well. From London this 25 day of June, 1550. Your loving freinde,

NICOL. LONDON.

To my lovinge freende the archdeacon of Colchester, and in his absence, to his official there, geve thes with speede.

Papae Rom.
JULIUS III. 1.

Archiepisc. Cant.
THO. CRANMER. 18.

Anno Christii
1550.

Reg. Angliae
EDWARD. VI. 4.

King Edward VI. order to bishop Gardener of Winchester, about subscribing to certain articles sent to him by the King. Ex originali in fylloge epistol. Tito Livio Foro-julienfi annex. edit. Hearn. pag. 119.

IT is not, we think, unknown unto you, with what clemency and favour, we by the advice of our council caused you to be heard, and used upon these fundrie complaints and informations, that were made to us and our said council, of your disordered doing and words, both at the time of our late visitation and otherwise; which notwithstanding, considering, that the favor both then and many other times ministered unto you, wrought rather an insolent wilfullness in your self, than any obedient conformity, such as would have becomed a man of your vocation, we could not but use some demonstration of justice towards you, as well for such notorious and apparent contempts and other inobedience, as after and contrarie to our commandment were openly known in you, as also for some example and terror of such others, as by your example seemed to take courage to mutter and grudge against our most godly proceedings: whereof great disorder and inconvenience at that time might have ensued. For the avoyding thereof, and for your just deserving, you were by our said council committed to ward, where, albeit we have suffered you to remain a long space, sending unto you in the mean time at fundrie times diverse of the noblemen and others of our privy council, and travailling by them with clemency and favor to have reduced you to the knowledge of your duty; yet in all this time have you neither acknowledged your

faults, nor made any such submission, as might have becomed you, nor yet shewed any appearance either of repentance, or of any good conformitie to our godly proceedings. Where-with, albeit we have good cause to be offended, and might also justly by the order of our laws cause your former doings to be reformed and punished to the example of others, yet for that we would both the world and your self also should know, that we delight more in clemency, than in the strait administration of justice, we have vouchsafed not only to address unto you these our letters, but also to send estsones unto you, four of our priy council with certain articles, which being by us with the advice of our said council considered, we think requisite for fundry considerations to be subscribed by you, and therefore will and command you to subscribe the said articles, upon pain of incurring such punishments and penalties, as by our laws may be put upon you for not doing the same. Given at our palace of Westminster, the 8th day of July, the 4th year of our reign.

E. SOMERSET,	WILLIAM PETRE,
W. NORTH,	J. WARWICK,
WILLIAM PAGET,	G. COBHAM,
W. WILTSHIRE,	W. HERBERT,
E. CLYNTON,	EDWARD NORTH,
A. WYNGFELD,	J. BEDFORD.

The earl of Warwick's letter to the archbishop of Canterbury, concerning the consecration of bishop Hooper. Ex Vol. 3. Fox p. 146. ed. 1641.

AFTER my most hearty commendations to your grace, these may be to desire the same, that in such reasonable things wherein this bearer, my lord elect of Gloucester, craveth to be born withall at your hands, you would vouchsafe to shew him your graces favour; the rather at this my instance, which things partly I have taken in hand by the kings majesty's own motion. The matter is weighed by his highness none other but that

your grace may facily condescend unto: the principall cause is, that you would not charge the said bearer with an oath burthenous to his conscience; and so for lack of time, I commit your grace to the tuition of almighty God. From Westminster, the 23d of July, 1550.

Your graces most assured loving friend,

J. WARWICK.

Literae

Papae Rom.
JULIUS. III. I.Archiepisc. Cant.
THO. CRANMER. 18.Anno Christi.
1550.Reg. Angliae
EDWARD. VI. 4.

Litterae patentes regiae Johanni a Lasco, et Germanis Londini commorantibus. Ex
Rot. pat. 4. E. 6. part. 5. apud Burnet hist. reform. vol. 2. append. p. 202.

EDWARDUS sextus Dei gratia Angliae, Franciae et Hiberniae rex, fidei defensor, et in terra ecclesiae Anglicanae et Hibernicae supremum sub Christo caput; omnibus ad quos praesentes litterae pervenerint, salutem.

Cum magnae quaedam et graves considerationes nos ad praesens specialiter impulerunt, tum etiam cogitantes illud quanto studio et charitate christianos principes in sacrosanctum Dei evangelium, et religionem apostolicam, ab ipso Christo inchoatam, institutam, et traditam, animatos et propensos esse conveniat, sine qua haud dubie politia et civile regnum nec consistere diu, neque nomen suum tueri potest, nisi principes caeterique praepotentes viri, quos Deus ad regnorum gubernacula sedere voluit, id in primis operam dent, ut per totum reipublicae corpus casta sinceraque religio diffundatur, et ecclesia in vere christianis et apostolicis opinionibus et ritibus instituta atque adulta per sanctos ac carni et mundo mortuos ministros conservetur. Pro eo quod christiani principis officium statuimus inter alias suas gravissimas de regno suo bene splendideque administrando cogitationes etiam religioni et religionis causa calamitate fractis et afflictis exulibus consulere; sciatis quod non solum praemissa contemplantur, et ecclesiam a papatus tyrannide per nos vindicatam, in pristina libertate conservare cupientes; verum etiam exulum ac peregrinorum conditionem miserantes, qui jam bonis temporibus in regno nostro Angliae commorati sunt voluntario exilio, religionis et ecclesiae causa mulctati; quia hospites et externos homines propter Christi evangelium ex patria sua profligatos et ejectos, et in regnum nostrum profugos, praesidiis ad vitam degendam necessariis, in regno nostro egere, non dignum esse neque christiano homine neque principis magnificentia duximus, cujus liberalitas nullo modo in tali rerum statu restricta clausave esse debet. Ac quoniam multi Germanae nationis homines, ac alii peregrini, qui confluxerunt et in dies singulos confluunt in regnum nostrum Angliae ex Germania et aliis remotioribus partibus, in quibus papatus dominatur, evangelii libertas labefactari et premi coepta est, non habent certam sedem et locum in regno nostro, ubi conventus suos celebrare valeant, ubi inter suae gentis et moderni idiomatis homines religionis negotia et res ecclesiasticas pro patriae ritu et more intelligenter obire et tractare possint; idcirco de gratia nostra speciali, ac ex certa scientia et mero motu nostris, nec non de avisamento consilii nostri volumus, concedimus, et ordinamus, quod de caetero sit et erit unum templum sive sacra aedes in civitate nostra Londinensi, quod vel quae vocabitur templum Domini Jesu, ubi congregatio et conventus Germanorum et aliorum peregrinorum fieri et celebrari possit, ea inten-

tione et proposito, ut a ministris ecclesiae Germanorum aliorumque peregrinorum sacrosancti evangelii incorrupta interpretatio sacramentorum, juxta verbum Dei et apostolicam observationem, administratio fiat. Ac templum illud sive sacram aedem illam de uno superintendente, et quatuor verbi ministris erigimus, creamus, ordinamus, et fundamus per praesentes. Et quod idem superintendens et ministri in re et nomine sint et erunt unum corpus incorporatum et politicum, de se per nomen superintendentis et ministrorum ecclesiae Germanorum et aliorum peregrinorum, ex fundatione regis Edwardi sexti, in civitate Londinensi per praesentes incorporamus; ac corpus incorporatum et politicum, per idem nomen realiter et ad plenum creamus, erigimus, ordinamus, facimus et constitutimus per praesentes, et quod successionem habeant.

Et ulterius de gratia nostra speciali, ac ex certa scientia, et mero motu nostris, nec non de avisamento consilii nostri dedimus et concessimus, ac per praesentes damus et concedimus praefato superintendenti, et ministris ecclesiae Germanorum et aliorum peregrinorum in civitate Londinensi totum illud templum sive ecclesiam nuper fratrum Augustinensium, in civitate nostra Londinensi, ac totam terram, fundum, et solum ecclesiae praedictae, exceptis toto choro dictae ecclesiae terris, fundo, et solo ejusdem; habendum et gaudendum dictum templum sive ecclesiam, ac caetera praemissa (exceptis praexceptis) praefatis superintendenti, et ministris, et successoribus suis tenendum de nobis, haeredibus et successoribus nostris, in puram et liberam eleemosynam.

Damus ulterius de avisamento praedicto, ac ex certa scientia et mero motu nostris praedictis, per praesentes concedimus praefatis superintendenti, et ministris, et successoribus suis plenam facultatem, potestatem et auctoritatem ampliandi et majorem faciendi numerum ministrorum, et nominandi et appunctuandi de tempore in tempus tales et hujusmodi ministros ad serviendum in templo praedicto, quales praefatis superintendenti et ministris necessarium visum fuerit. Et quidem haec omnia juxta beneplacitum regium.

Volumus praeterea, quod Johannes a Lasco, natione Polonus, homo propter integritatem et innocentiam vitae ac morum, et singularem eruditionem valde celebris, sit primus et modernus superintendens dictae ecclesiae, et quod Gualterus Deloenus, Martinus Flandrus, Franciscus Riverius, Richardus Gallus, sint quatuor primi et moderni ministri. Damus praeterea et concedimus praefatis superintendenti, et ministris, et successoribus suis, facultatem, auctoritatem, et licentiam, post mortem vel vacationem alicujus ministri praedictorum de tempore in tempus eligendi, nominandi, et surrogandi aliam

iam personam habilem et idoneam, in locum suum; ita tamen, quod persona sic nominatus et electus, praesentetur, et sistatur coram nobis, haeredibus vel successoribus nostris, et per nos, haeredes, vel successores nostros instituatur in ministerium praedictum.

Damus etiam et concedimus praefatis superintendenti, ministris, et successoribus suis facultatem, auctoritatem, et licentiam post mortem seu vacationem superintendentis, de tempore in tempus eligendi, nominandi, et surrogandi aliam personam doctam, et gravem, in locum suum; ita tamen quod persona sic nominatus et electus praesentetur et sistatur coram nobis, haeredibus vel successoribus nostris, et per nos haeredes vel successores nostros, instituatur in officium superintendentis praedictum.

Mandamus, et firmiter injungendo praecipimus tam majori, vicecomitibus, et aldermanis civitatis nostrae Londinensis, et successoribus suis, cum omnibus aliis archiepiscopis, episcopis, justiciariis, officiariis, et ministris nostris quibuscunque, quod permittant praefatis superintendenti, et ministris, suos libere et quiete frui, gaudere, uti, et exercere ritus, et ceremonias suas proprias, et disciplinam ecclesi-

asticam propriam et peculiarem, non obstante quod non convenient cum ritibus et ceremoniis in regno nostro usitatis, absque impetitione, perturbatione, aut inquietatione eorum vel eorum alicujus, aliquo statuto, actu, proclamatione, injunctioe, restrictione, seu usu in contrarium inde antehac habitis, factis, editis, seu promulgatis in contrarium non obstantibus; eo quod expressa mentio de vero valore annuo, aut de certitudine praemissorum five eorum alicujus, aut de aliis donis five concessionibus, per nos praefatis superintendenti, ministris et successoribus suis ante haec tempora factis, in praesentibus minime facta existit, aut aliquo statuto, actu, ordinatione, provisione, five restrictione inde in contrarium factis, editis, ordinatis, seu provis, aut aliqua alia re, causa vel materia quacunque in aliquo non obstante. In cujus rei testimonium has litteras nostras fieri fecimus patentes. Teste meipso apud Leighes vicesimo quarto die Julii, anno regni nostri quarto, per breve de privato sigillo et de datis praedicta auctoritate parlamenti.

R. SOUTHWELL.
UN. HARRYS.

Papae Rom.
JULII. III. I.

Archiepisc. Cant.
THO. CRANMER. 19.

Anno Christi
1550.

Reg. Angliae
EDWARD. VI. 4.

The king's letter to the archbishop of Cant. for consecrating bishop Hooper. Ex Heylin. hist. reform. p. 91.

RIGHT reverend father and right trusty and well beloved, we greet you well. Whereas we by the advice of our council have called and chosen our right well beloved and well worthy Mr. John Hooper professor of divinity, to be our bishop of Glocester as well for his great learning, deep judgment, and long study both in the scriptures, and other profound learning; as also for his good discretion, ready utterance, and honest life for that kind of vocation, &c. from consecrating of whom we understand you do stay, because he would have you omit and

let pass certain rites and ceremonies offensive to his conscience, whereby you think you shall fall in "premunire" of our laws; we have thought good by advice aforesaid to dispence and discharge you of all manner of dangers, penalties, and forfeitures, you shall run into, and be in, in any manner of way, by omitting any of the same, and these our letters shall be your sufficient warrant and discharge therefore.

Given under our signet at our castle of Windsor the 5th day of August in the 4th year of our reign.

The councils order to bishop Ridley to take down altars, and place communion tables in their stead. Ex Heylin. hist. ref. p. 96. et Fox. pr. edit. fol. 727.

RIGHT reverend father in God, right trusty and well beloved, we greet you well. Whereas it is come to our knowledge, that being the altars within the more part of the church of the realm, upon good and godly considerations are taken down, there doth yet remain altars standing in divers other churches, by occasion whereof much variance and contention ariseth amongst sundry of our subjects, which, if good foresight were not had, might perhaps engender great hurt and inconvenience, we let you wit, that minding to have all occasion of contention taken away, which many times groweth by those and such like diversities, and considering that amongst other things belonging to our royal office and care, we do account the greatest to be, to maintain the com-

mon quiet of our realm; we have thought good by the advice of our council, to require you and nevertheless especially to charge and command you, for the avoiding of all matters of further contention and strife, about the standing or taking away of the said altars, to give substantial order throughout all your dioceses, that with all diligence all the altars in every church or chapel, as well in places exempted as not exempted, within your said dioceses to be taken down, and instead of them a table to be set up in some convenient part of the chancel, within every such church or chapel, to serve for the ministration of the blessed communion. And to the intent the same may be done without the offence of such our loving subjects, as be not yet so well persuaded in that behalf, as we could

could wish; we send unto you herewith certain considerations gathered and collected, that make for the purpose, the which as such others as you shall think meet to be set forth to persuade the weak to embrace. Our proceedings in this part we pray you cause to be declared to the people, by some discreet preachers, in such places as you shall think meet before the taking down of the said altars, so as both the weak consciences of others may be instructed and satisfied as much as may be, and this our plea-

sure the more quietly executed. For the better doing whereof, we require you to open the aforesaid considerations in that our cathedral church in your own person, if you conveniently may, or otherwise by your chancellor, or other grave preacher, both there and in such other market towns and most notable places of your diocese as you may think most requisite.

Given under our signet at our palace of Westminster the 24th day of November in the 4th year of our reign.

Papae Rom.
JULII III. I.

Archiepisc. Cant.
THO. CRANMER. 19.

Anno Christi
1550.

Reg. Angliae
EDWARD. VI. 4.

Commissio regia ad observandum librum precum communium. Ex reg. Cranmer. fol. 70. b. seq.

EDWARDUS sextus Dei gratia Angliae, Franciae et Hiberniae rex, fidei defensor, ac in terra ecclesiae Anglicanae et Hibernicae supremum caput, reverendissimo in Christo patri Thomae Cantuariensi archiepiscopo, totius Angliae primati et metropolitano; ac reverendis in Christo patribus Thomae Eliensi, Nicholao London. Henrico Lincolnien. Thomae Norwicen. ac Johanni Roffen. episcopis; — Nicholao Wotton decano Cantuar. uni consiliariorum nostrorum, nec non praedilectis et fidelibus consiliariis nostris, Willelmo Peter militi, Willelmo Cecill armigero, secretariis nostris primariis; dilectis nobis Ricardo Coxe elemosynario nostro, Anthonio Cooke militi, Jacobo Hales militi, uni justiciariorum nostrorum ad communia placita, Thomae Smythe militi, Johanni Cheke, adolescentiae nostrae institutori, Willelmo May, decano sancti P. L. Johanni Taylor decano Lincolnien. Simoni Hanes, decano Exonien. Griffino Layson, decano de arcubus London. doctoribus Ricardo Godericke, Johanni Gosnolde, armigeris; — Richardo Wylkes, Johanni Redman, archidiacono de Tawnton, Hugoni Latimer, Egidio Ayer, decano Cicestren, Matthae. Parker, sacrae theologiae professori, Miloni Coverdale, Johanni Oliver, Ricardo Lyell, Rolando Taylor, Christophero Nevinson, legum doctoribus; — Henrico Sydall et Nicholao Bullingham salutem. Etsi regibus quidem omnibus qui Christi nomen profitentur, nihil aequae incumbat ac fidem christianam in suo populo, ac in ecclesiis suae auctoritati regiae subjectis, sartam, testam atque incolumem servare; nobis tamen qui fidei defensor peculiari quodam titulo vocamur, maximae prae caeteris curae esse debet, ut non solum pro viribus annitmur, ut Christi religio quam purissime atque integerrime nostro populo tradatur; verum etiam ut omni qua possumus ratione caveamus, ne Christi adversarius, ut est semper ad omnia corrumpenda paratus, noxium haereseos semen, et labem malae doctrinae clanculum in segetem christiani populi, et hoc arvom nobis commissum seminet; sed si quid forte emerferit tale (quod speramus Deum averfurum) saltem ut quam primum evellatur, ne latius serpens illud virus etiam sanas et salubres partes corrumpat. Et quoniam nos ipsi

non possumus ad omnia hujuscemodi in nostra persona obeunda et curanda semper esse in otio et parati, et modo ad nos et consiliarios nostros perlatum est, exoriri in nonnullis nostri regni locis quosdam, qui resuscitant sceleratos Anabaptistarum et libertinorum errores; et qui aliarum haeresium impia et impura dogmata ferunt et instillant in aures rudis vulgi, et imperitae plebis nostrae mentes illis nefariis opinionibus inficiunt, ut antequam illud venenum latius serpat, opportunum et necessarium remedium pro facultate nostra regia adhibeamus; de advisamento consilii nostri praedicti vos selegimus, quibus hanc nostram curam, et hoc tam necessarium munus extirpandae et reprimendae haereseos committeremus. Ad inquirendum igitur de omnibus articulis haereseos cujuscunque, et examinandum omnes et singulos subditos nostros, et alios quosunque infra regnum et dominia nostra residentes et commorantes de et super haeresibus et erroribus quibuscunque, in fide christiana suspectos, detectos, denunciatos, inquisitos, et accusatos, aut in posterum detegendos, denunciandos, inquirendos vel accusandos, et quosunque testes ubicunque locorum infra regnum et dominia nostra commorantes vel degentes, aliarumque probationum genera quaecunque, pro veritate praemissorum erudienda quomodolibet requisita, recipienda, et admittenda, testesque hujuscemodi in forma jurandorum testium jurandos et examinandos, ac omnibus aliis viis et modis et formis quibus melius et efficacius poteritis, de veritate praemissorum etiam summarie et de plano, ac sine strepitu et figura judicii cognoscendi inquirendi, et investigandi; et si per examinationem et inquisitionem hujuscemodi aliquem vel aliquos alicujus haereseos seu impiae opinionis crimine contactum seu contactos, involutum seu involutos esse deprehenderitis, ab erroribus suis revocandos, eumque et eos, si errorum suorum, pertaesum vel pertaesos esse comperitis, ad errorum suorum hujuscemodi retractationes, recantationes, abjuraciones, et renunciations inducendos, et subsequenter in sacrosanctae ecclesiae gremium admittendos et recipiendos, aliasve prout juris nostri et aequitatis ratio persuaserit, absolvendos et dimittendos, poenitentiasque salutares et condignas pro commissis infligendas et imponendas; pertinacem vero vel perti-

pertinaces, obstinatum aut obstinatos, erroribus suis desperate immersum vel immersos, si quem vel quos deprehenderitis, ex coetu fidelium ejiciendum vel ejiciendos, ac seculari potestati nostrae, si ita facti atrocitas exposcat, commit- tendos, tradendos et liberandos: nec non omnes et singulos rectores, vicarios, et clericos, et mi- nistros ecclesiasticos quoscunque ac laicos, cu- juscunque conditionis existant, librum nostrum vulgo appellatum, "The book of the common prayers and administration of the sacraments, and other rites and ceremonies of the church af- ter the use of the church of England" aut di- vina officia in eodem expressa et inserta, vel a- liquam partem eorundem contemnentes, sper- nentes, adversantes, sive obloquentes, si qui ta- les suspecti, reperti, detecti, inquisiti, denunci- ati, aut accusati fuerint, juxta vim, formam, et effectum statuti in ea parte editi et provisi, pu- niendos, et corrigendos; caeteraque omnia et singula facienda, exercenda, et expedienda, quae circa dicta inquisitionis et examinationis negotia necessaria fuerint, seu quomodolibet opportuna, vobis triginta et uni, triginta, viginti novem, viginti octo, viginti septem, viginti sex, viginti quinque, viginti quatuor, viginti tribus, vigin- ti duobus, viginti uni, viginti, novendecim, octodecim, septendecim, sexdecim, quindecim, quatuordecim, tredecim, duodecim, undecim, decem, 9, 8, 7, 6, 5, 4, aut tribus vestrum, quorum archiepiscopum Cantuariensem, episco- pum Eliensem, episcopum London. episcopum Lincoln. episcopum Norwicen. episcopum Ros- sen. Nicolaum Wotton, Willelmum Peter, Willelmum Cecill, Richardum Coxe, Jacobum Hales, et Willelmum May unum esse volumus, et in executione praemissorum interesse: de quorum sana doctrina, fidei zelo, vitaeque et

morum integritate, exactaque in rebus gerendis dexteritate specialem in Domino fiduciam obti- nemus, vices nostras committimus, et plenam tenore praesentium concedimus facultatem, cum potestate plenissima personas sic detectas, denun- ciatas, inquisitas, accusatas vel suspectas evocan- das coram vobis, et carceri et vinculis, si opus fuerit, mancipandas, ac testes quoscunque pro veritate praemissorum explicandos, et erudiendos quomodolibet requisitos, coram vobis, quibus- cunque diebus et locis vestro arbitrio in hac par- te limitandis, evocandos et citandos, eosdemque testes sese subtrahentes omnibus modis et juris nostri remediis quibuscunque compellendos cum omni alia jurisdictionis et auctoritatis nostrae le- gitima coercionem in hac parte et potestate; vos- que ad effectus praedictos cognitores, inquisito- res, judices, et commissarios nostros deputamus, nominamus, facimus, constituimus per praesen- tes omni appellatione remota; eo non obstante, quod denunciatio, indicatio sive accusatio contra personas praedictas hujuscemodi in hac parte non processerit, sive aliquibus aliis statutis aut ordi- nationibus in parlamenti nostris in contrarium editis sive provis, in quibus forsan major so- lennitas et circumstantia ad hujuscemodi exe- quenda negotia requiruntur, caeterisque in con- trarium facientibus non obstantibus quibuscun- que: mandantes omnibus et singulis theologis et jurisperitis, nec non majoribus, vicecomiti- bus, ballivis, aliisque officiariis, et ministris no- stris quibuscunque, quatenus vobis in et circa praemissorum executionem effectualiter, si per vos requisiti et interpellati fuerint, assistant et suffragentur. In cujus rei testimonium has li- teras nostras fieri fecimus patentes, teste me ip- so apud Westm. 18. die Januarii anno regni no- stri quarto.

Papae Rom.
JULII III. 1.

Archiepisc. Cant.
THO. CRANMER. 19.

Anno Christi
1550.

Reg. Angliae
EDWARD. VI. 4.

Forma juramenti episcopi consecrandi. Ex reg. Cranmer. fol. 332. b.

I John Hooper electe busshoppe of Glocester from hensforth shall utterly renounce, re- fuse, relinquish and forsake the busshoppe of Rome, and his authority, power and jurisdic- tion, and I shall never consent nor agree that the busshoppe of Rome shall practize, exercise or have any manner of authority, jurisdiction or power within this realm, or any other the king's dominions, but shall resist the same, at all tymes, to the uttermost of my power; and I from hensforth will accepte, repute and take the kinge's majestie to be the only supreme head in earth of the church of England, and to my connynge, wytte, and uttermost of my power, without gyle, fraude, or other undue meane, I will observe, kepe, maynteyne, and defende the whoole effects and contents of all and singu- lar acts and statutes made and to be made with- in his realme, in derogation, extirpation and extinguishment of the busshoppe of Rome, and

this authorite, and all other acts and statutes made or to be made in reformation and corro- boration of the kinge's power of the supreme head in earth of the church of England: and this I will do against all manner of persons of what estate, dignite, degree or condition they be, and in no wise do nor attempte, nor to my power to be done or attempted directlie or indi- rectlie any thing or things privelye or apertlie, to the lette or hinderaunce, dammage, or dero- gation therof, or any part therof by any man- ner of means, or for any manner of pretence; and in case any oath be made, or hath been made by me to any person or persons in mayn- teynaunce, defence, or favour of the busshoppe of Rome, or his authoritie, jurisdiction, or power, I repute the same as vayne and adni- chilate. So helpe me God, all saints, and the holy evangelistes.

Papae Rom.
JULII III. 2.

Archiepisc. Cant.
THO. CRANMER. 19.

Anno Christi
1551.

Reg. Angliae
EDWARD. VI. 5.

Convocatio Cantuariensis.

Ex. reg. Cranmer fol. 13.

CONVOCATIO cleri provinciae Cantuar. per breve regium ad xiv. diem Octobris continuata, per aliud ad quintum Novembris, et abinde ad xxiv. diem Januarii prox. prorogaba-

tur. A quo die usque ad dissolutionem ejus, quae anno sequenti obtinuit, synodus convenit pro more solito.

Mandatum pro publicatione actus parliamenti contra rebelles. Ex reg. Cran. fol. 61. a.

THOMAS, &c. per illustrissimum et invictissimum in Christo principem et dominum nostrum dominum Edwardum sextum; &c. ad infra scripta rite suffultus, dilecto in Christo filio archidiacono nostro Cantuarien. seu ejus officiali, salutem, gratiam et benedictionem. Literas missivas dicti metuendissimi domini nostri regis manu sua regia signatas, ejusque signeto obsignatas, nominibus illustrissimorum virorum dominorum a secretis consiliis suis regiis in calce eorundem subscriptis, nobis inscriptas et directas, nuper cum debiti officij nostri obsequio accepimus, tenorem subsequenter complectentes: "Moste reverende father in God, righte trustie and right welbeloved counsaylour, we grete you well. And wheras it is comme to our knowledge that there be dyverse lewde and seditious persons in certayne partes of oure realme, that practise and devyse the meanes to stirre up unlawful assembles and commotions, to the troble and unquiet of us and our loving subjects: for as moch as we intende to meet wythe the sayd practizers in time, we have thought good among other things that we have set forth for the purpose, to addresse unto youe, as we have done the lyke to all other prelates of our realme, the bokes of an acte of parliament made and established in the third yere of oure reigne, for the conteynyng of oure subjects in quiett and good ordre, and the suppression of the rebellion, if at any tyme any sholde happen to be practised or begonne within our realme. Wherefore we require, and straightly charge and command youe, to give substantiall ordre thoroughoute all your dioecesse, that wythin every parishe church wythin the same, the said acte may be openly and distinctly redde, by the person or curate to the parochians every sonday, or every seconde sonday at the leaste, at soche tyme in the morning, as th'assemble of the said parochians is most frequent, to th'end they may be from tyme to tyme admonished of there duties, and of the perill that shall ensue to them that shall devyse or attempte any thinge contrary to the said acte. And like as we in this perillous tyme have thought it necessary for the preservation of the comen quiete of our realme, to addresse to you, and the rest of oure prelates, theis our letters with our said acte; so our special trust

is, that youe for your parte will see the same effectually done and executed throughtout your dioecesse, so duellie and with soche regarde and care, as th'importance of the case requirethe; whereof sayle you not, as you tendre oure pleasure, and will avoide our indignation. Yeven under oure signet at our mannor of Grenewych, the sixthe of May, in the fiftie yere of oure reigne:" — In calce haec nomina habentur, E. Somersett, R. Ryche, Canc. W. Wilteshire, J. Warwick, J. Bedford, E. Clinton. — Inscriptio talis est: "To the most reverende father in God, oure right trustie and right welbeloved counsaylour, th'archebishop of Canturburie:" Nos vero affectantes ex animo ejusdem domini nostri regis literis et mandatis obtemperare, volentesque pro nostro erga suam regiam celsitudinem officio in demandatis nobis negotiis omnem nostram curam et solertem adhibere diligentiam, vobis pro parte suae regiae majestatis districte praecipiendo mandamus harum serie; quatenus receptis praesentibus cum omni, qua poteritis, celeritate et diligentia maturis, dilectos filios nostros rectores, vicarios, et curatos quarumcunque ecclesiarum parochialium nostrae dioeceseos Cantuariensis moneatis, et praecipiendo mandetis, quatenus ipsi et eorum quilibet vel singuli actum sive statutum parliamenti in eisdem literis regiis specificatum, cujus unum exemplar typis excusum vobis una cum praesentibus per latorem praesentis nostri mandati transmittimus, singulis diebus dominicis, vel saltem qualibet secunda die dominica in ecclesia sua parochiali coram parochianis ejusdem, mane quum et quando parochiani cujuslibet parochiae ad divina audienda in ecclesia sua frequentes adfuerint, publice, distincta, aperta, ac alta et intelligibili voce perlegant, ac caetera omnia et singula in dictis literis regiis descripta perimpleant, exequantur, et sedulo fieri curent, omnibus mora, dilatione, et fuco penitus remotis, prout eidem domino nostro regi sub vestro incumbente periculo obtemperare et respondere velitis, et vult vestrum alter. Et quid in praemissis feceritis, et exequi curaveritis, id totum et omne nobis quam citissime significatum iri non postponatis. Dat. in manerio nostro de Lambeth, nono die mensis Maii, anno Domini 1551. regnique ejusdem felicissimi domini nostri regis anno quinto, et nostrae consecrationis decimo nono.

Commissio

Papae Rom.
JULII III. 2.

Archiepisc. Cant.
THO. CRANMER. 20.

Anno Christi
1551.

Reg. Angliae
EDWARD. VI. 5.

Commissio regia pro reformatione legum ecclesiasticarum.

EDWARDUS sextus Dei gratia Angliae, Franciae et Hiberniae rex, fidei defensor, et in terra ecclesiae Anglicanae et Hibernicae supremum caput, reverendissimo in Christo patri, Thomae eadem gratia Cant. archiepiscopo, totius Angliae primati, et metropolitano, reverendoque in Christo patri Thomae Eliensi episcopo; ac dilectis nobis in Christo Richardo Cox eleemofynario nostro, Petro Martyr, sacrae theologiae professoribus, Willielmo Maye, Rowlando Tylour de Hadley, legum doctoribus; necnon dilectis et fidelibus nostris, Johanni Lucas, et Richardo Gooderike, armigeris, salutem. Cum vos triginta duos viros ad leges nostras ecclesiasticas perlegendas et componendas juxta vim, formam et effectum cujusdam acti parliamenti in tertio regni nostri anno apud Westm. facti, brevi assignare et deputare proponimus; et ubi numerus praedictus ad tractatum legum praedictarum describendarum et componendarum, nimis videtur, tametsi id tum propter consultationem et judicium super eo habendum, tum etiam propter perfectionem et complementum earundem longe expediens existit, nobis moventibus consiliariis nostris a secretis, consentaneum magis videtur, hujus rei initium, introitum, primam formam et lineaturam numero octavo, qui doctorum triginta erit portio, committere, nempe quasi praeparationem quandam grandiori numero futuram.

Quapropter de prudentia, scientia, et diligentia vestris plurimum confidentes, de sententia concilii nominavimus et deputavimus vos commissarios nostros, et vobis auctoritatem per praesentes impartimus, ut loco et tempore congruis, et opportunis, celeritate conveniente; qua poteritis maxima, infimul conveniatis, cursumque legum ecclesiasticarum, infra regnum nostrum in usu existentium, aut antehac uti solitarum, diligenter perlegatis, consideretis, et ponderetis; eoque facto, illarum loco et vice, collectionem, compilationem, et ordinem talium legum ecclesiasticarum inveniatis, faciatis, et in scripta redigi faciatis, quales in usu esse, praedicari, et in quibuscunque curiis, et jurisdictionibus nostris ecclesiasticis infra istud reg-

num nostrum, et alia nostra dominia proponi et publicari, de scientia, sapientia, et judicio vestris maxime expediens fore putaveritis. Habentes considerationem, et respectum debitum ad tenorem statuti praedicti pro praeservatione legum nostrarum communium in suo vigore remanentium, et pro omnibus aliis articulis, et ramis dicti statuti. Et quamprimum leges praedictae per vos adinventae, formatae, descriptae, et compilatae fiunt, easdem statim nobis exhiberi, et in scriptis tradi volumus, ut eas de concilii nostri sententia, de residuo triginta duorum, una vobiscum, pro ulteriore legum praedictarum ecclesiasticarum ratificatione, et perfectione, tanquam commissariorum nostrorum, juxta formam statuti praedicti, conjunctim nominandorum transmittamus.

Et quamvis vos ea modestia, et sapientia praeditos esse scimus, quod onus istud humeris vestris commissum, et impositum, haud parvi esse momenti, et ponderis aestimabitis; considerantes tamen, quod propositum nostrum non est aliud, quam praeparationis cujusdam gratia istud a vobis effectum reddi; ita quod major numerus ad consultationem, et perfectionem ejusdem magis certo et ordinate procedere valeat, certiores vos esse volumus, quod actiones, et studia vestra in hac parte, cum erunt nobis gratissima, tum aut benignissima, et maxime favorabili interpretatione accepta.

Et praeterea volumus, quod statim post receptionem praesentium una conveniatis, et hac in re celeritate et expeditione ea utamini, quam causa exposcit mandantes et stricte praecipientes omnibus et singulis personis, quarum consilio, sententia, et ope in hac parte vos opus habebitis; quod illi per vos requisiti opem praestent, consulant, et juvent, quemadmodum nobis placere cupiunt. In cujus testimonium, has literas nostras fieri fecimus patentes. Teste meipso apud Westm. xi. die Novembris anno regni regis quinto.

MARTON.

Per ipsum regem, et de data praedicta.

*Concilium * provinciale cleri Scotici habitum Edinburgi A.D. MDLI. in quo sequentia acta edita sunt.* Ex MS. Paris. regio n. 3887. Codd. Baluzian. n. 38.

IN PRIMIS hoc praesens concilium, constans hujus regni praelatis, concilium provinciale facientibus, relectis, auditis, et discussis diligenter per omnia statutis et ordinationibus aliarum provincialium conventionum, praeside reverendissimo domino primato totius regni moderno et praesenti, antehac habiturum, eadem

in certissimum totius ecclesiastici status ac populi christiani commodum vergere, in universum ratificanda, approbanda, et observanda una cum nonnullis in hac synodo additis, et adjectis, quae in specie sequuntur communi omnium et publico decreto conclusa, prout eadem praesenti tenore approbat, acceptat, et ratificat.

* Acta in hoc concilio approbata postea renovantur in concilio provinciali cleri Scotici. A.D. MDLIX. testante MS. regio Parisiensis.

2. *Executio decretorum prioris concilii.*

Verum quia propter temporis difficultatem et multiplicia impedimenta quaedam eorundem statutorum prius editorum, quibus executioni demandandis certa in ipsis erant tempora praefixa, nullum tamen adhuc effectum sunt fortita; idcirco expresso jam omnium consensu absque ulla ulteriori dilatione deinceps eadem, quemadmodum antea salubriter sancita erant, ita et nunc diligenter executioni demandanda decrevit, ad tempora inferius limitata, prout unusquisque ordinariorum respondere voluerit pro suo officio in districto Dei iudicio.

3. *De praedicatione verbi Dei.*

Et specialiter cum caeteris omnibus supra scriptis approbat praesens concilium statutum illud prius editum, de divini verbi praedicationibus per rectores quater singulis annis fiendis, cum multis et poenis in deficientes seu contravenientes eidem utrobique adductis; atque ejusdem executionem per singulos ordinarios fieri mandat infra hinc et proximas uniuscujusque dioecesis synodos, et quod in contravenientes suasve partes in dicto statuto injunctas absque mora citationes simplices dentur pro ipsarum multarum solutione, juxta statuti tenorem per ipsos ordinarios, aut eorundem commissarios, in religiosorum et pauperum usus applicandarum.

4. *De theologo et canonista.*

Approbat quoque similiter statuta ista de theologis et canonistis apud singulas ecclesias cathedrales, necnon pro theologis in singulis monasteriis instituendis, et honorifice sustentandis, juxta continentiam ejusdem; placet universo concilio, ut statuta eadem sententia debitam executionem fortiantur, intra hinc et festum divi Michaelis proximum, et quod contra negligentes severiter procedatur; atque eodem modo ut statutum illud de religiosis, ad universitates studiorum gratia mittendis, et ibi juxta monasterii facultates honeste sustentandis suam executionem cum omni rigore intra hinc et festum Pentecostes proximum fortiat.

5. *De examinatione curatorum et vicariorum.*

Ad haec universae synodo visum est utile et necessarium, ne diutius per minus sufficientes seu idoneos curatos animarum cura defraudet, ut statutum illud de curatorum, et vicariorum pensionariorum examinationibus, diligenti indagatione et executione habeatur infra hinc et proximas cujusque dioecesis synodos, et ibidem circa statutum de monasteriorum examinationibus et clericorum parochialium.

6. *De computo et ratiocinio testamentorum.*

Approbat similiter praesens conventio constitutionem illam de testamentorum confirmationibus prius promulgatis, hoc addito, ut in posterum nullae omnino confirmationes ad intus et extra dentur, sed singula confirmanda in specie exprimantur et contineantur in bonorum inventariis, non autem sub aliqua summa gene-

rali et extra sub poena omissionis quotae levandae piis usibus applicandae.

Item mandat, ut reverendissimi et reverendorum dominorum ordinariorum, et decani registra testamentorum, tam majorum quam minorum, habentes eadem, bis singulis annis, ipsis officialibus, seu commissariis generalibus patefaciant, ut procuratoribus fiscalibus pro computis et ratiociniis eorundem testamentorum mandatum dent, ut ipsa computa expedienda quamprimum juris ordine curent, qui et ipsi procuratores super debito sui officii respondere voluerunt, alioquin de negligentia puniendi et officio destituendi, ne tam proles defunctorum suis portionibus bonorum, quam creditores et legatarii fraudentur.

Simili quoque modo statutum illud de testamentis Orcaden. dioecesis ad formam et honorem caeterarum hujusmodi regni dioeceseon ordinandis, approbat et testamenta dioecesis et insularum omnium extendendis, decrevit, cum ubi pia dignoscitur esse ratio, eadem quoque debet esse juris dispositio.

7. *De causis matrimonialibus.*

Porro quia contingit causas matrimoniales nimis leviter in iudicio transmitti, cum tamen sint sua natura valde graves et arduae, ac episcopis ipsis de jure reserventur; statuit haec sancta praelatorum conventio, ut nullae deinceps sententiae in causis matrimonialibus ad divortium tendentibus per officiales seu commissarios cujusunque dioecesis hujus regni pronuncientur, nisi processus hujusmodi et causarum merita per ipsos ordinarios discussa, et legitime perpensa fuerint, quo facto ex speciali ipsorum ordinariorum mandato et consilio, quod sacris canonibus consonum fuerit, decernatur; utque testes ipsi in ejusmodi causis prudenter et circumspecte super gravibus facti circumstantiis ad testium fidem tentandam et explorandam necessariis et opportunis examinentur et diligenter interrogentur, quodque suppositiones pro testium examinationibus infra alias dioeceses praecise ipsis locorum ordinariis, officialibus seu commissariis cujusunque dioecesis, et nullis deputatis, aut substitutis delegabuntur, testibus vero secus examinatis nulla fides habeatur.

8. *Quod parochiani singulis dominicis et festivis intersint missae.*

Item praesens conventio animadvertens divinatorum mysteriorum contemptum maximum aliquot hisce proximis annis inter regni subditos invaluisse, sic ut pauci admodum ex populissimis parochiis sacrosanctae missae sacrificio, diebus dominicis, et aliis festivis duplicibus ab ecclesia indictis, aut divini verbi praedicationibus adesse dignentur; ideo statuit et ordinat, ut omnes et singuli a suis parochialibus missis diebus praescriptis vel praedicationibus verbi divini in suis ecclesiis parochialibus sese ultro absentantes diligenter notentur per curatos, qui eosdem decanis in suis visitationibus majorum excessuum deferant, poenis publicatis juxta personarum qualitates, et delicti hujusmodi frequen-

frequentationem, et hujusmodi deficientiam districtè puniendos; et similiter, qui rem sacram minus reverenter aut indevote audire consueverint, quique jocantur, aut scurriliter se gerunt in ecclesiis temporibus sermonum, aut qui in portis ecclesiarum aut coemeteriis ludibria interim exercere, aut aliis profanis negotiationibus vacare praesumpserint, non solum censura ecclesiastica feriantur, sed etiam aliis poenis arbitrio ordinariorum infligendis subjaceant; et quod hujusmodi abusu occasionibus citius tollantur, statuit haec praesens conventio, ut prohibeantur per vicarios et curatos omnes mercaturae in portis ecclesiarum, et in coemeteriis divinatorum tempore diebus dominicis et festivis, et quod nulla venalia durante sacro exponantur, seu aperiantur, prope limites ecclesiarum, sed quod singuli tunc temporis vel sacro, orationibus, precibus, vel divini verbi praedicationibus diligenter attendant, et hoc sub poena excommunicationis, et 200 solidorum singulis vicibus, quibus praesentibus fuerit contravenitum.

9. *De visitatione hospitalium.*

Insuper praesens conventio pietate erga pauperes Christi mota, ad quorum supportationem hospitalia ab initio erant instituta, statutum illud celeberrimum super visitationibus hospitalium in singulis hujus regni dioecesium, intra hinc et festum divi Michaelis proximum executioni mandari vult; et ut decani in suis visitationibus de statu omnium hospitalium juxta tenorem illius statuti referant, et debito tempore officialibus, seu commissariis generalibus ad effectum, ut ipsi defectus hujusmodi corrigant, et opportuna remedia desuper prospiciant.

10. *Additio ad vetus statutum de excommunicationis vitandis.*

Item quod excommunicatio omnium ecclesiasticarum personarum gravissima poena prae hominum corruptis et dissolutis moribus prope viluit, ut eidem tamen sua auctoritas, reverentia, et vigor juxta sacrorum sanctiones canonum restitatur quantum haec tempora ferunt; statuit haec praesens conventio, et nomina excommunicatorum per singulos curatos suarum parochiarum, cujuscunque status, gradus, conditionis aut praeeminentiae fuerint, in suis libris scribantur, ut singulis diebus dominicis publicentur omni timore et favore exclusis.

11. *Nomina excommunicatorum publicentur.*

Item ut infordefcentes a viginti diebus juxta vetus statutum provinciale, nisi sub justa appellatione fuerint, velut abominabiles in cancellis ecclesiarum parochialium, et in aliis publicis locis per curatos affigantur, et ibidem fixa remaneant eorum nomina, donec absolutionis beneficium obtinuerint habita vero absolutione eorum nomina de libro deleantur, et in margine scribatur talis absolutus.

12. *Infordefcentes affigantur in cancellis et valvis ecclesiae.*

Insuper ut ipsi curati, antequam exordiantur

rem divinam, moneant publice et generaliter omnes personas excommunicatas, ut quamprimum sese a divinis rebus amoveant; certificando expresse, quod quicumque scienter post illam admonitionem seu requisitionem sese divinis ingesserit, tunc temporis excommunicatus existens live personaliter, live in sua ecclesia fuerit parochiali publice et solenniter denunciatus, sententiam juris incurrit, a qua non poterit absolvi, nisi per sanctissimum dominum nostrum papam, et insuper poenis actorum parlamenti subjacebit: et si ecclesiastica persona et beneficiata fuerit, et hujusmodi admonitionem contempserit, aut quamdiu sub excommunicatione hujusmodi infordeat, quod pro rata temporis suae infordefcentiae fructibus sui beneficii privabitur, in pauperes suae parochiae per ordinariorum, aut eorundem commissarios erogandis; si vero non fuerit beneficiatus, tamdiu incarceretur pane et aqua, quamdiu sub ejusmodi censura infordeat, vel aliter arbitrio ordinarii puniatur.

13. *De glebis ecclesiae non alienandis.*

Praeterea quod res et bona ecclesiarum et certae decimae, redditus et proventus jam passim sub praetextu evidentis utilitatis ecclesiarum, ad ipsorum possessorum cupiditatem duntaxat explendam, aut consanguineorum et amicorum opes, facultates, et possessiones augendas, et ampliandas, carnali affectione ad longum tempus locantur, alienantur, dilapidantur, et profligantur, tam in ipsarum ecclesiarum irrecuperabile dispendium, et damnum, quam etiam in ipsorum successorum summam inopiam et penuriam, ut vix ex reliquis fructibus onera ecclesiae et necessarias expensas juxta personae suae facultatem sufferre possit et valeat: quocirca hujusmodi parum providis ecclesiasticarum personarum administrationibus occurrere volens praesens conventio inhibet expresse, ne in posterum mansiones, croftae proximae vicariis ipsis residentibus deputatis ecclesiis contiguae jacentes per rectores vel vicarios in emphytheosim ullo tempore futuro dentur, aut ad longum tempus assidentur; constitutiones veteres provincialium conciliorum hujus regni desuper olim prudenter sancitas in usum revocandas, hoc ipsum temporum necessitate exigente, decrevit, easdem approbat in omnibus et ratificat, ac in perpetuum valitura constitutione firmum eisdem robur addit.

14. *De clandestinis matrimoniis, et bannis, et registris curatorum.*

Eodem quoque modo approbat et ratificat praesens conventio vetera illa statuta provincialia super clandestinis matrimoniis, et bannorum debitis proclamationibus, tenoresque eorundem praesentibus inferi mandat, eisdemque addendo quod quia experimentis quotidianis compertum est ex nativitate et matrimoniorum clandestinorum quæstibus et controversiis, quamvis etiam legitime ratis, in summum paternae seu avitae haereditatis ac fortunarum omnium discrimen adduci; et hoc potissimum defectu legitimorum documentorum super natalibus et nativitatis temporibus, superque bannorum proclamationibus: statu-

statutum igitur est, ut singuli curati deinceps habeant registrum, in quo nomina infantum baptizatorum inscribantur, una cum nominibus personarum, quae talium baptizatorum parentes communiter habentur et reputantur, nec non compatrum et commatrum, cum die, anno, mense, adscriptis etiam duobus testibus notent; quod etiam ipsum in bannorum proclamationibus servetur, quas praesens conventio in ecclesiis parochialibus tam viri quam mulieris respective, si diversarum fuerint parochiarum, fieri mandat; quae quidem registra inter pretiosissima ecclesiae jocalia conservari vult et praecipit, quodque decani in suis visitationibus desuper diligentem indaginem faciant, et deficientes ad commissarios referant, ut graviter in eosdem animadvertatur.

15. *De poena ministri in clandestino matrimonio.*

Praeterea statuto de poenis tam partium contrahentium, quam ministrorum in matrimoniis clandestinis addit, et id aliqua ex parte reformat, statuitque ut presbyteri suam ad eadem clandestina matrimonia contrahenda operam seu ministerium accommodantes incarcerationem per annum, in pane et potu, nec non ab executione ordinum in triennium suspendantur; partesque ipsae contrahentes publicas agant poenitentias, arbitrio ordinariorum juxta statum et qualitatem earundem personarum moderandas et imponendas; hortaturque, ne ordinarii sint in hac parte quacunque occasione nimis remissi, ut plurima inconvenientia, quae hinc proveniunt, saltem metu poenae evitentur.

16. *Circa editionem et publicationem catechismi in gratiam virorum ecclesiasticorum curam animarum gerentium.*

Item praesens conventio semper habens oculos, quam diligenter ecclesiae pastoribus pastorum omnium principe Christo Jesu sit praedicandi verbi Dei officium commendatum, ut saltem in primis fidei catholicae rudimentis probe instituantur greges ipsi, suae curae concrediti; atque interim secum reputans quot horrendae haereses aliquot hisce annis in variis et diversis hujus regni partibus sint grassatae, jam vero Dei optimi maximique providentia, singulorumque favore principum ac praelatorum vigilantia studioque erga fidem catholicam tandem repressae, ac fere sopitae videantur; consideransque insuper ecclesiasticos hujus regni inferiores et praelatos pro majori parte nondum eo eruditionis in sacris literis esse provectos, ut populum recte in fide catholica, aliisque ad salutem necessariis instruere, aut errantes convertere suo studio valeant. Ad igitur juvandos eorum pios conatus, industriamque promovendam, utque eadem vera, catholica, et apostolica fides, seclusis universis erroribus, integra et inviolabilis conservetur; statuit et ordinat librum quendam vulgari et Scotico idiomate conscriptum, ac prudentissimorum hujus regni praelatorum, doctissimorumque theologorum, et aliorum ecclesiasticorum virorum praesenti conventioni interessentium judiciis et calculis exactissima discussione habita approbatum, in rectorum, vicario-

rum, et curatorum manus, tam pro sua quam pro populi christiani, cujus curam gerunt, instructione tradendum; quem catechismum, id est, communem et facilem rudimentorum fidei institutionem et doctrinam vocari vult, ipsiusque reverendissimi domini Johannis S. Andreae, totius regni Scotiae primatis, in praesenti concilio praesidis, ipsiusque provincialis hujusce synodi nomine imprimendum, inque lucem edendum, ac in multa exemplaria transumendum, continentem veram sinceramque, juxta catholicae ecclesiae sensum ac intellectum decalogi, seu decem mandatorum Dei interpretationem, articulorum fidei, septemque sacramentorum simplicem, puram, ac christianam doctrinam, nec non orationis dominicae, et salutationis angelicae integram et salutarem expositionem; quorum ignorantia, ut ait Bernardus in declamationibus: "excusare non poterit hominem, qui se magistrum infantium doctoremque insipientium profitetur, quippe ipse ignorans ignorabitur, immo multos ignorare faciet et ignorari; quantum enim sit periculi omnibus, cum non invenit pastor pascua, ignorat dux itineris viam, vicarius nescit Domini voluntatem, ecclesia quotidie multipliciter et miserabiliter experitur." Haec divus Bernardus.

Cujus quidem libri exemplaria omnia, ubi excussa fuerint, praesentari ipsi reverendissimo mandat et ordinat praesens concilium, ut ipse singulis tam suis ecclesiasticis, quam aliis singulis locorum ordinariis, quot cuique dioecesi pro rectorum, vicariorum, ac curatorum numero et multitudine sufficere videntur, eis tribuat; reliqua vero apud ipsum reverendissimum remaneant, et firma custodia servantur, prout tempus et necessitas postulaverint, dispertienda.

Caveant vero ipsi rectores, vicarii, et curati, ne sua exemplaria secularibus quibusque indiscrete communicent, nisi ex judicio, consilio, et discretione sui ordinarii; quibus ordinariis licebit nonnullis probis, gravibus, bonae fidei, ac discretis viris laicis, ejusdem catechismi exemplaria communicari, et iis potissimum, qui videbuntur potius suae instructionis causa, quam curiositatis cujuscunque eadem expetere.

Cujus quidem catechismi singula capita et partes singulas ab ipsa praefatione seu exordio libri incipiendo ad finem usque absque interruptione, seu locorum quorumcunque omissione, continuando rectores per se, vel ipsi vicarii, aut curati, qui curam administrant omnibus dominicis et festivis diebus, quando ad divina audienda populus convenire solet et tenetur, alta et intelligibili voce, distincte, clare, articulate, et punctuatim, omnibus silentio interdicto, quanta poterit maxima gravitate in suggesto, superpellicio ac stola induti ante summam missam ad dimidia horae spatium legere, et de libro ipso recitare integre, et absque ulla haesitatione, nihil addito, mutato, suppresso, vel omissio, sed prout verba jacent, sic ut populus lecta et recitata modo, quo supra, audire cum fructu, ac aedificationem inde concipere, et suae salutis intelligentiam haurire valeat.

Quod ipsum quo melius, quo facilius, et cum majori populi reverentia et utilitate praestare possint,

possint, ipsi, quibus hoc munus praesenti constitutione injungitur, caveant ipsi rectores, vicarii, vel curati, ne minus praemeditate in pulpitu[m] conscendant, sed toto studio et intentione ad lectionem peragendam crebra, frequenti ac diuturna futurae lectionis repetitione sese praeparent, ne se auditorum ludibrio exponant, ubi imparati in medio lectionis cursu haesitaverint, aut impegerint, et propter hoc maledictioni divinae se reddant obnoxios, cum, ut inquit scriptura: "maledictus omnis, qui facit opus Domini negligenter:" et similiter, ne languide et oscitanter, sed cum quanto possunt maximo spiritus ardore, voce, vultu, et gestu ad pronuntiationem concurrentibus, ut quae leguntur animis auditorum vivae vocis impressione, prout cuique gratiam dederit Dominus, infigantur. Hoc tamen proviso, ut non liceat cuiquam auditorum super lectis, aut modo quo supra recitatis, controversiam ipsi rectori seu vicario seu curato movere. Et si aliquis id attentare praesumpserit, deferatur inquisitoribus haereticae pravitatis; nec vicissim licebit ulli rectori, vicario, seu curato, nisi ad hoc ipsum (specialiter habita consideratione ipsius qualificationis) fuerit ab ordinario loci ei facultas concessa in scriptis, ullis controversias et quaestiones hujusmodi moventibus desuper respondere, aut disputationes ingredi, sed mox respondeatur, se hujusmodi disputationis resolutiones ad ipsos ordinarios remittere, et hoc

sub poena privationis ab hujusmodi officio seu beneficio.

17. *De multa in negligentes lectionem catechismi.*

Quod si quis rector, vicarius, seu curatus in aliquo praesentis statuti puncto negligens aut culpabilis fuerit deprehensus, pro prima vice mulctetur 20 solidis, irremissibiliter ab eo exigendis et levandis; pro secunda 40 solidis; pro tertia duplicetur multa, et cum hoc incarceration in pane et potu duntaxat ad mensem, et ulterius ad arbitrium ordinarii. Nihilominus ubi contingit conciones verbi Dei per religiosos vel alios ordinarios praedicatores vice rectorum, juxta tenorem priorum statutorum interim fieri, quod talibus diebus catechismi lectio intermittatur impune. Et super singulis punctis et partibus praesentis statuti fiant diligentes inquisitiones per decanos in suis visitationibus, et desuper delationes fiant fideles absque omni favore vel odio commissariis majorum excessuum.

Finis omnium statutorum concilii provincialis in omnibus suis sessionibus facti per reverendissimum Johannem archiepiscopum sancti Andree, et reliquos regni Scotiae episcopos, et abbates, ac totius Scoticae ecclesiae clerum, in annis Domini millesimo, quingentesimo, quadragesimo nono, et quinquagesimo primo respective.

Papae Rom.
JULII III. 3.

Archiepisc. Cant.
THO. CRANMER. 20.

Anno Christi
1552.

Reg. Angliae
EDWARD. VI. 6.

Convocatio Cantuariensis.

Ex reg. Cranmer fol. 52.

CONVOCATIO praelatorum et cleri provinciae Cantuar. xvi. die Aprilis per breve regium dissolvebatur. Deinde per aliud datum

v. die Januarii sequ. ad ii. diem Martii sum-monebatur.

Synodus Eboracensis.

SYNODUS provincialis Eboracensis per breve regium dat. 16. die Aprilis dissoluta fuit 4. die mensis Maii. Per aliud autem breve dat. 5. die Januarii sequ. ad diem secundum Martii

in ecclesia metropolitana S. Petri Ebor. convocata post varias continuationes decimo quinto die Aprilis A. D. 1553. subsidium sex solidorum per libram domino regi concesserunt.

Papae Rom.
JULII III. 3.

Archiepisc. Cant.
THO. CRANMER. 21.

Anno Christi
1552.

Reg. Angliae
EDWARD. VI. 6.

Articuli de quibus in synodo Londinensi, anno Dom. M. D. LII. ad tollendam opinionum dissensionem et consensum verae religionis firmandum, inter episcopos et alios eruditos viros convenerat, regia auctoritate in lucem editi.

De fide in sacrosanctam trinitatem.

UNUS est vivus et verus Deus, aeternus, incorporeus, impartibilis, impassibilis, immensae potentiae, sapientiae, ac bonitatis, creator et conservator omnium, tum visibilium tum invisibilium. Et in unitate hujus divinae naturae tres sunt personae ejusdem essentiae, potentiae, ac aeternitatis, Pater, Filius, et Spiritus Sanctus.

Verbum Dei verum hominem esse factum.

Filius qui est verbum patris, in utero beatae virginis, ex illius substantia naturam humanam assumpsit, ita ut duae naturae, divina et humana, integre atque perfecte in unitate personae fuerint inseparabiliter conjunctae; ex quibus est unus Christus, verus Deus et verus homo, qui vere passus est, crucifixus, mortuus et sepultus, ut Patrem nobis reconciliaret, essetque hostia non tantum pro culpa originis, verum etiam pro omnibus actualibus hominum peccatis.

De descensu Christi ad inferos.

Quemadmodum Christus pro nobis mortuus est et sepultus, ita est etiam credendus ad inferos descendisse. Nam corpus usque ad resurrectionem in sepulchro jacuit; spiritus ab illo emissus, cum spiritibus qui in carcere five in inferno detinebantur, fuit, illisque praedicavit, quemadmodum testatur Petri locus.

Resurrectio Christi.

Christus vere a mortuis resurrexit, suumque corpus cum carne, ossibus, omnibusque ad integritatem humanae naturae pertinentibus, recepit, cum quibus in caelum ascendit, ibique residet, quoad extremo die ad judicandos homines revertatur.

Divinae scripturae doctrina sufficit ad salutem.

Scriptura sacra continet omnia quae sunt ad salutem necessaria, ita ut quicquid in ea nec legitur, neque inde probari potest, licet interdum a fidelibus, ut pium et conducibile ad ordinem et decorem admittatur, attamen a quoquam non exigendum est ut tanquam articulus fidei credatur, et ad salutis necessitatem requiri putetur.

Vetus testamentum non est rejiciendum.

Testamentum vetus, quasi novo contrarium sit, non est repudiandum, sed retinendum, quandoquidem tam in veteri quam in novo per Christum, qui unicus est mediator Dei et hominum, Deus et homo, aeterna vita humano generi est proposita. Quare non sunt audiendi, qui veteres tantum in promissiones temporarias sperasse confingunt.

Symbola tria.

Symbola tria, Nicenum, Athanasii, et quod vulgo apostolicum appellatur, omnino recipienda sunt. Nam firmissimis divinarum scripturarum testimoniis probari possunt.

Peccatum originale.

Peccatum originis non est (ut fabulantur Pelagiani, et hodie Anabaptistae repetunt) in imitatione Adami situm, sed est vitium et depravatio naturae cujuslibet hominis ex Adamo naturaliter propagati; qua fit, ut ab originali justitia quam longissime distet, ad malum sua natura propendeat, et caro semper adversus spiritum concupiscat: unde in unoquoque nascentium iram Dei atque damnationem meretur. Manet etiam in renatis haec naturae depravatio, qua fit ut affectus carnis, Graece *φρόνημα σαρκός*, quod alii sapientiam, alii sensum, alii affectum, alii studium vocant, legi Dei non subjicitur. Et quanquam renatis et credentibus nulla propter Christum est condemnatio, peccati tamen in sese rationem habere concupiscentiam fatetur apostolus.

De libero arbitrio.

Absque gratia Dei, quae per Christum est, nos praeveniente ut velimus, et cooperante dum volumus, ad pietatis opera facienda, quae Deo grata sint et accepta, nihil valeamus.

De gratia.

Gratia Christi, seu Spiritus Sanctus, qui per eundem datur, cor lapideum aufert, et dat cor carneum; atque licet ex nolentibus quae recta sunt volentes faciat, et ex volentibus prava, nolentes reddat, voluntati nihilominus violentiam nullam infert. Et nemo hac de causa, cum peccaverit, seipsum excusare potest, quasi nolens aut coactus peccaverit, ut eam ob causam accusari non mereatur aut damnari.

De hominis justificatione.

Justificatio ex sola fide Jesu Christi eo sensu, quo in homilia de justificatione explicatur, est certissima et saluberrima christianorum doctrina.

Opera ante justificationem.

Opera quae fiunt ante gratiam Christi, et Spiritus ejus afflatum, cum ex fide Jesu Christi non prodeant, minime Deo grata sunt. Neque gratiam (ut multi vocant) de congruo, merentur; imo cum non sint facta, ut Deus illa fieri voluit et praecepit, peccati rationem habere non dubitamus.

Opera supererogationis.

Opera quae supererogationis appellant, non possunt sine arrogantia et impietate praedicari, nam illis declarant homines non tantum se Deo reddere quae tenentur, sed plus in ejus gratiam facere quam deberent: cum aperte Christus dicat: "Cum feceritis omnia quaecunque praecepta sunt vobis, dicite: servi inutiles sumus."

Nemo praeter Christum est sine peccato.

Christus in nostrae naturae veritate, per omnia similis factus est nobis, excepto peccato, a quoprorus erat immunis, tum in carne, tum in spiritu. Venit ut agnus absque macula esset, qui mundi peccata per immolationem sui semel factam tolleretur; et peccatum (ut inquit Johannes) in eo non erat. Sed nos reliqui etiam baptizati, et in Christo regenerati, in multis tamen offendimus omnes, et si dixerimus quia peccatum non habemus, nos ipsos seducimus, et veritas in nobis non est.

De peccato in Spiritum Sanctum.

Non omne peccatum mortale post baptismum voluntarie perpetratum, est peccatum in Spiritum Sanctum et irremissibile; proinde lapsis a baptismo in peccata, locus poenitentiae non est negandus. Post acceptum Spiritum Sanctum possumus a gratia data recedere atque peccare, denuoque per gratiam Dei resurgere ac resipiscere. Ideoque illi damnandi sunt, qui se quamdiu hic vivant, amplius non posse peccare affirmant, aut vere resipiscentibus poenitentiae locum denegant.

Blasphemia in Spiritum Sanctum.

Blasphemia in Spiritum Sanctum est, cum quis verborum Dei manifeste perceptam veritatem, ex malitia et obfirmatione animi, convitiis infectatur, et hostiliter insequitur. Atque hujusmodi, quia maledicto sunt obnoxii, gravissimo,

villimo sese astringunt sceleri. Unde peccati hoc genus irremissibile a Domino appellatur, et affirmatur.

De praedestinatione et electione.

Praedestinatio ad vitam est aeternum Dei propositum, quo ante jacta mundi fundamenta suo consilio, nobis quidem occulto, constanter decrevit eos, quos elegit ex hominum genere, a maledicto et exitio liberare, atque ut vasa in honorem efficta, per Christum ad aeternam salutem adducere. Unde qui tam praeclaro Dei beneficio sunt donati, illi, Spiritu ejus opportuno tempore operante, secundum propositum ejus vocantur, vocationi per gratiam parent, justificantur gratis, adoptantur in filios, unigeniti Jesu Christi imagini efficiuntur conformes, in bonis operibus sancte ambulant, et demum ex Dei misericordia pertingunt ad sempiternam felicitatem.

Quemadmodum praedestinationis et electionis nostrae in Christo pia consideratio, dulcis, suavis, et ineffabilis consolationis plena est vere piis, et his qui sentiunt in se vim Spiritus Christi, facta carnis, et membra quae adhuc sunt super terram mortificantem, animumque ad caelestia et superna rapientem, tum quia fidem nostram de aeterna salute consequendi per Christum, plurimum stabilit atque confirmat; tum quia amorem nostrum in Deum vehementer accendit: ita hominibus curiosis, carnalibus, et spiritu Christi destitutis, ob oculos perpetuo versari praedestinationis Dei sententiam perniciosissimum est praecipitium, unde illos diabolus pertrudit vel in desperationem, vel in aequae perniciosam impurissimae vitae securitatem. Deinde licet praedestinationis decreta sunt nobis ignota, promissiones tamen divinas sic amplecti oportet, ut nobis in sacris literis generaliter propositae sunt, et Dei voluntas in nostris actionibus ea sequenda est, quam in verbo Dei habemus diserte revelatam.

Tantum in nomine Christi speranda est aeterna salus.

Sunt et illi anathematizandi qui dicere audent, unumquemque in lege aut secta quam profitetur esse servandum, modo juxta illam et lumen naturae accurate vixerit; cum sacrae literae tantum Jesu Christi nomen praedicent, in quo salvos fieri homines oporteat.

Omnes obligantur ad moralia legis praecepta servanda.

Lex a Deo data per Moysen, licet quoad ceremonias et ritus christianos non astringat, neque civilia ejus praecepta in aliqua repub. necessario recipi debeant, nihilominus ab obedientia mandatorum quae moralia vocantur, nullus quantumvis christianus est solutus: quare illi non sunt audiendi, qui sacras literas tantum infirmis datas esse perhibent, et spiritum perpetuo jactant, a quo sibi quae praedicant suggeri asserunt, quanquam cum sacris literis apertissime pugnent.

De ecclesia.

Ecclesia Christi visibilis est coetus fidelium,

in quo verbum Dei purum praedicatur, et sacramenta, quoad ea quae necessario exiguntur, juxta Christi institutum recte administrantur.

Sicut erravit ecclesia Hierosolymitana, Alexandrina, et Antiochena, ita et erravit ecclesia Romana, non solum quoad agendi et ceremoniarum ritus, verum in his etiam quae credenda sunt.

De ecclesiae auctoritate.

Ecclesiae non licet quicquam instituere, quod verbo Dei scripto adversetur; neque unum scripturae locum sic exponere potest, ut alteri contradicat: quare licet ecclesia sit divinorum librorum testis et conservatrix, attamen ut adversus eos nihil decernere, ita praeter illos nihil credendum de necessitate salutis debet obtrudere.

De auctoritate conciliorum generalium.

Generalia concilia sine jussu et voluntate principum congregari non possunt; et ubi convenerint, quia ex hominibus constant, qui non omnes spiritu et verbis Dei reguntur, et errare possunt et interdum errarunt, etiam in his quae ad normam pietatis pertinent; ideo quae ab illis constituuntur, ut ad salutem necessaria, neque robur habent neque auctoritatem, nisi ostendi possint e sacris literis esse desumpta.

De purgatorio.

Scholasticorum doctrina de purgatorio, de indulgentiis, de veneratione et adoratione tum imaginum tum reliquiarum, nec non de invocatione sanctorum, res est inutilis, inaniter conficta, et nullis scripturarum testimoniis innititur, imo verbo Dei perniciose contradicit.

Nemo in ecclesia ministret nisi vocatus.

Non licet cuiquam sumere sibi munus publice praedicandi, aut administrandi sacramenta in ecclesia, nisi prius fuerit ad haec obeunda legitime vocatus et missus. Atque illos legitime vocatos et missos existimare debemus, qui per homines, quibus potestas vocandi ministros atque mittendi in vineam Domini publice concessa est in ecclesia, cooptati fuerint et asciti in hoc opus.

Agendum est in ecclesia lingua quae sit populo nota.

Decentissimum est, et verbo Dei maxime congruit, ut nihil in ecclesia publice legatur aut recitetur lingua populo ignota, idque Paulus fieri vetuit, nisi adesset qui interpretaretur.

De sacramentis.

Dominus noster Jesus Christus sacramentis numero paucissimis, observatu facillimis, significatione praestantissimis, societatem novi populi colligavit, sicuti est baptismus et coena Domini.

Sacramenta non instituta sunt a Christo ut spectarentur aut circumferrentur, sed ut rite illis uteremur: et in his duntaxat qui digne percipiunt, salutarem habent effectum, idque non ex opere (ut quidam loquuntur) operato; quae vox, ut peregrina est et sacris literis ignota, sic parit sensum minime pium, sed admodum superstitiosum: qui vero indigne percipiunt damna-

damnationem (ut inquit Paulus) sibi ipsis acquirunt.

Sacramenta per verbum Dei instituta, non tantum sunt notae professionis christianorum, sed certa quaedam potius testimonia et efficacia signa gratiae atque bonae in nos voluntatis Dei, per quae invisibiliter ipse in nobis operatur, nostramque fidem in se non solum excitat, verum etiam confirmat.

Ministrorum malitia non tollit efficaciam institutionum divinarum.

Quamvis in ecclesia visibili bonis mali sint semper admixti, atque interdum ministerio verbi et sacramentorum administrationi praesint; tamen cum non suo sed Christi nomine agant, ejusque mandato et auctoritate ministrent, illorum ministerio uti licet, cum in verbo Dei audiendo, tum in sacramentis percipiendis: neque per illorum malitiam effectus institutorum Christi tollitur, aut gratia donorum Dei minuitur quoad eos, qui fide et rite sibi oblata percipiunt, quae propter institutionem Christi et promissionem efficacia sunt, licet per malos administrentur. Ad ecclesiae tamen disciplinam pertinet, ut in eos inquiratur, accusenturque ab iis, qui eorum flagitia noverint, atque tandem iusto convicti iudicio, deponantur.

De baptismo.

Baptismus non est tantum signum professionis ac discriminis nota, qua christiani a non christianis discernuntur, sed etiam est signum regenerationis, per quod tanquam per instrumentum recte baptismum suscipientes, ecclesiae inferuntur, promissiones de remissione peccatorum atque adoptione nostra in filios Dei per Spiritum Sanctum visibiliter obsignantur, fides confirmatur, et vi divinae invocationis, gratia augetur. Mos ecclesiae baptizandi parvulos et laudandus et omnino in ecclesia retinendus.

De coena Domini.

Coena Domini non est tantum signum mutuae benevolentiae christianorum inter sese, verum potius est sacramentum nostrae per mortem Christi redemptionis. Atque adeo rite, digne et cum fide sumentibus, panis quem frangimus est communicatio corporis Christi; similiter poculum benedictionis est communicatio sanguinis Christi.

Panis et vini transubstantiatio in eucharistia ex sacris literis probari non potest, sed apertis scripturae verbis adversatur, et multarum superstitionum dedit occasionem.

Quum naturae humanae veritas requirat, ut unius ejusdemque hominis corpus in multis locis simul esse non possit, sed in uno aliquo et definito loco esse oporteat; idcirco Christi corpus in multis et diversis locis, eodem tempore, praesens esse non potest. Et quoniam, ut tradunt sacrae literae, Christus in caelum fuit sublatus, et ibi usque ad finem seculi est mansurus, non debet quisquam fidelium carnis ejus et sanguinis realem et corporalem (ut loquuntur) praesentiam in eucharistia vel credere vel profiteri.

Sacramentum eucharistiae ex institutione Christi non servabatur, circumferebatur, elevabatur, nec adorabatur.

De unica Christi oblatione in cruce perfecta.

Oblatio Christi semel facta perfecta est redemptio, propitiatio et satisfactio pro omnibus peccatis totius mundi, tam originalibus quam actualibus; neque praeter illam unicam est ulla alia pro peccatis expiatio. Unde missarum sacrificia, quibus vulgo dicebatur, sacerdotem offerre Christum in remissionem poenae aut culpa pro vivis et defunctis, figmenta sunt, et perniciosae imposturae.

Coelibatus ex verbo Dei praecipitur nemini.

Episcopis, presbyteris et diaconis non est mandatum ut coelibatum voveant; neque jure divino coguntur matrimonio abstinere.

Excommunicati vitandi sunt.

Qui per publicam ecclesiae denunciationem rite ab unitate ecclesiae praecisus et excommunicatus, is ab universa fidelium multitudine, donec per poenitentiam publice reconciliatus fuerit arbitrio judicis competentis, habendus est tanquam ethnicus et publicanus.

Traditiones ecclesiasticae.

Traditiones atque ceremonias easdem non omnino necessarium est esse ubique, aut prorsus conformes, nam variae et semper fuerunt et mutari possunt pro regionum et morum diversitate, modo nihil contra Dei verbum instituitur.

Traditiones et ceremonias ecclesiasticas, quae cum verbo Dei non pugnant, et sunt auctoritate publica institutae atque probatae, quisquis privato consilio volens et data opera publice violaverit, is, ut qui peccat in publicum ordinem ecclesiae, quique laedit auctoritatem magistratus, et qui infirmorum fratrum conscientias vulnerat, publice, ut caeteri timeant, arguendus est.

Homiliae.

Homiliae nuper ecclesiae Anglicanae per injunctiones regias traditae atque commendatae, piae sunt atque salutes, doctrinamque ab omnibus amplectendam continent: quare populo diligenter, expedite, clareque recitandae sunt.

De libro precationum et ceremoniarum ecclesiae Anglicanae.

Liber qui nuperrime auctoritate regis et parliamenti ecclesiae Anglicanae traditus est, continens modum et formam orandi, et sacramenta administrandi in ecclesia Anglicana; similiter et libellus eadem auctoritate editus de ordinatione ministrorum ecclesiae, quoad doctrinae veritatem, pii sunt et salutaris doctrinae evangelii in nullo repugnant, sed congruunt, et eandem non parum promovent et illustrent, atque ideo ab omnibus ecclesiae Anglicanae fidelibus membris, et maxime a ministris verbi cum omni promptitudine animorum et gratiarum actione, recipiendi, approbandi, et populo Dei commendandi sunt.

De

De civilibus magistratibus.

Rex Angliae est supremum caput in terris, post Christum, ecclesiae Anglicanae et Hibernicae.

Romanus pontifex nullam habet jurisdictionem in hoc regno Angliae. Magistratus civilis est a Deo ordinatus atque probatus, quamobrem illi, non solum propter iram, sed etiam propter conscientiam, obediendum est.

Leges civiles possunt christianos propter capitalia et gravia crimina morte punire.

Christianis licet ex mandato magistratus arma portare et iusta bella administrare.

Christianorum bona non sunt communia.

Facultates et bona christianorum non sunt communia, quoad jus et possessionem, ut quidam Anabaptistae falso jactant; debet tamen quisque de his, quae possidet, pro facultatum ratione pauperibus eleemosynas benigne distribuere.

Licet christianis jurare.

Quemadmodum juramentum vanum et temerarium a Domino nostro Jesu Christo et ab apostolo ejus Jacobo christianis hominibus interdictum esse fatemur; ita christianam religionem minime prohibere censemus, quin, jubente magistratu, in causa fidei et charitatis jurare liceat, modo id fiat, juxta prophetarum doctrinam, in justitia, in judicio et veritate.

Resurrectio mortuorum nondum est facta.

Resurrectio mortuorum non adhuc facta est, quasi tantum ad animum pertineat, qui per Christi gratiam a morte peccatorum exciteur, sed extremo die quoad omnes qui obierunt, expectanda est; tunc enim vita defunctis (ut scripturae manifestissime testantur) propria corpora, carnes et ossa restituentur, ut homo integer, prout vel recte vel perditè vixerit, juxta sua opera, sive praemia sive poenas reportet.

Defunctorum animae neque cum corporibus intereunt, neque otiose dormiunt.

Qui animas defunctorum praedicant usque ad diem judicii absque omni sensu dormire, aut illas asserunt una cum corporibus mori, et extrema die cum illis excitandas, ab orthodoxa fide, quae nobis in sacris literis traditur, prorsus dissentiant.

Millenarii.

Qui millenariorum fabulam revocare conantur, sacris literis adversantur, et in Judaica deliramenta sese praecipitant.

Non omnes tandem servandi sunt.

Hi quoque damnatione digni sunt, qui conantur hodie perniciosam opinionem instaurare, quod omnes, quantumvis impii, servandi sunt tandem, cum definito tempore a justitia divina poenas de admittis flagitiis luerunt.

Papae Rom.
JULII III. 3.

Archiepisc. Cant.
THO. CRANMER. 21.

Anno Christi
1552.

Reg. Angliae
EDWARD. VI. 6.

Instructions given by the kings majesty to his right trusty and right well beloved cousin and counsellor the marquis of Northampton, and to the rest of his highness commissioners appointed for the survey of church goods within his majesty's county of Northampton. Ex. Fuller eccles. hist. lib. vii. pag. 417. ad ann.

EDWARD,

FIRST upon the receipt of the said commission by any one of the same commissioners, he that so shall first receive the commission, shall forthwith with all convenient speed give knowledge to the rest named in the said commission, and with them shall agree to meet and assemble with what speed they can, for the execution of the same commission, and these instructions; and if any of the said commissioners shall be dead, sick, or otherwise be so absent out of the country for the service of the king, that he cannot with speed attend the same, in that case, the rest of the same commissioners, so that they be to the number appointed by the commission, shall not make any delay from the proceeding in the same commission, but shall forthwith allot their sittings, assemblies and meetings for the same commission, as in like cases hath been, or shall be meet to be used.

Item, for their better and more certain proceeding, the said commissioners shall in such cases, where none of the commissioners be "custos rotulorum" of that county, nor hath been since the beginning of our reign; com-

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mand the said "custos rotulorum" or their deputy, or the clerk of the peace of those parts, to bring or send unto them such books, registers, and inventories, as hath heretofore any wise come to their hands by indenture touching the summs, numbers, and values of any goods, plate, Jewells, vestments, and bells, or ornaments of any churches, chapel, and such like: and likewise the said commissioners shall send to the bishops of every diocese, wherein the said county is situate, or to their chancellors, commissaries, or other ecclesiastical officers, in whose hands or custody the like of the aforesaid inventories and registers have command of them and every of them, they shall receive and take the said books, registers, and inventories; and that done, the said commissioners shall compare both the same inventories (that is to say) as well such as they shall receive and take of the "custos rotulorum", or their deputy, or the clerk of the peace, as of the bishops or other under officers; and accordingly to the best, richest, and greatest inventories of the said commissioners shall proceed to make their survey and enquiry, and by the same make the searches of the defaults and wants that

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that shall be found. And generally the same commissioners shall not only by the view of the said registers and inventories, but also by any other means, they can better devise, proceed to the due search, and inquisition of the wants and defaults of any part of the said goods, plates, jewels, vestments, bells, or ornaments.

Item, for the more speedy obtaining of the said registers, and inventories, the said commissioners shall receive special letters of commandment from our privy council for the delivery thereof, which letters the said commissioners shall deliver as they shall see occasion.

Item, the said commissioners shall upon their view and survey taken, cause due inventories to be made by bills or books indented, of all manner of goods, plate, jewels, bells and ornaments as yet remaining, or any wise forth coming and belonging to any churches, chapels, fraternities, or guilds; and the one part of the same inventories to send and return to our privy council, and the other to deliver to them, in whose hands the said goods, plate, jewels, bells, and ornaments shall remain to be kept preserved. And they shall also give good charge and order, that the same goods and every part thereof, be at all times forth coming to be answered, leaving nevertheless in every parish church or chapel of common resort, one, two, or more chalices or cups, according to the multitude of the people in every such church or chapel; and also such other ornaments as by their discretion shall seem requisite for the divine service in every such place for the time.

And because we be informed, that in many places great quantity of the said plate, jewels, bells, and ornaments be imbezilled by certain private men, contrary to our express commandments in that behalf; the said commissioners shall substantially and justly enquire and attain the knowledge thereof, by whose default the same is, and hath been, and in whose hands any part of the same is come. And in that point the said commissioners shall have good regard, that they attain to certain names and dwellingplaces of every person and persons, that hath sold, alienated, imbezilled, taken or

carried away; and of such also as have counselled, advised, and commanded any part of the said goods, plate, jewels, bells, vestments, and ornaments to be taken or carried away, or otherwise imbezilled. And these things they shall as certainly and duely as they can, cause to be searched and understand.

Upon a full search and enquiry whereof, the said commissioners, four or three of them, shall cause to be called before them also the persons by whom any of the said goods, plate, jewels, bells, ornaments, or any other the premises, have been alienated, embezilled, or taken away; or by whose means or procurement the same or any part thereof hath been attempted, or to whose hands or use any of the same, or any profit for the same hath grown; and by such means as to their discretions shall seem best, cause to bring into their the said commissioners hands, to our use, the said plate, jewels, bells, and other the premises so alienated, or the true and just value thereof; certifying unto our privy council the names of all such as refuse to stand to, or obey their order, touching the re-delivery and restitution of the same, or the just value thereof, to the intent that, as cause and reason shall require, every man may answer to his doings in this behalf.

Finally, our pleasure is, that the said commissioners in all their doings, shall use such sober and discreet manner of proceeding, as the effect of this commission may go forward with as much quiet, and as little occasion of trouble or disquiet of the multitude, as may be; using to that end such wise persuasions in all places of their sessions, as in respect of the place and disposition of the people may seem to their wisdoms most expedient; giving also good and substantial order for the stay of the inordinate and greedy covetousness of such disordered people, as have or shall go about the alienating of any of the premises, so as according to reason and order, such as have or shall contemptuously offend in this behalf, may receive reformation, as for the quality of their doings shall be requisite.

Papae Rom.
JULII III. 3.

Archiepisc. Cant.
THO. CRANMER. 21.

Anno Christi
1552.

Reg. Angliae
EDWARD. VI. 6.

Concilium provinciale praelatorum et cleri Scotiae Lythquoi habitum. Ex Jo. Lef-
leo de reb. gest. Scot. lib. 10. p. 476.

“**E**ODEM plane tempore cum haeretici catholicam religionem commovissent, quicunque ex clero prudentissimi, doctissimi et integerrimi fuerunt, concilio provinciali Lythquoi celebrato, haeresim justissima anathematis nota configunt; omniaque quae patrum auctoritate in concilio Tridentino sub Pauli III. auspiciis sancita

erant, iusta, rata ac tanquam Dei imperio fixa plenis comitiis declarant. Multaque alia decreta, quae ad haeresis vires elidendas, catholicae fidei auctoritatem firmandam, ac cleri mores perpurgandos plurimum faciebant, constantissime sciscunt.” Haec Lessaeus.

Litterae

Papae Rom.
JULII III. 4.

Archiepisc. Cant.
THO. CRANMER. 21.

Anno Christi
1553.

Reg. Angliae
EDWARD. VI. 7.

Litterae regiae pro catechismo ludimagistris commendato.

EDWARDUS sextus Dei gratia Angliae, Franciae et Hiberniae rex, fidei defensor, et in terris ecclesiae Anglicanae et Hibernicae supremum caput, omnibus ludimagistris, et iis qui scholas grammaticas aperiunt.

Cum brevis et explicata catechismi ratio a pio quodam et erudito viro conscripta, nobis ad cognoscendum offerretur, ejus pertractationem et diligentem inquisitionem quibusdam episcopis et aliis eruditis commisimus, quorum judicium magnam apud nos auctoritatem habet. Et quia conveniens cum scripturis et regni nostri institutis visa est, placuit non solum eam propter convenientiam in aspectum lucemque proferre, sed etiam propter perspicuitatem et brevitatem omnibus ludorum magistris ad docendum proponere; ut rudis adhuc et inchoata aetas religionis simul et literarum jactis fundamentis cum sapientia pietatem discat, et regulam habeat in reliquo vitae cursu, quid sentiendum de Deo sit,

ad quem omnis vita nostra confertur, et quomodo accepti Deo simus, in quo omnibus actionibus et vitae officiis elaborandum est. Praecipimus itaque et mandamus non modo universis, sed etiam singulis, pro cautione, qua auctoritatem nostram sanctam habere, et justam violatae dignitatis animadversionem devitare studetis, ut sedulo ac diligenter hunc catechismum in scholis vestris doceatis; ut tenera adhuc et fluens aetas, et praeceptorum auctoritate et verae religionis documentis firmata, magnas opportunitates ad veram Dei venerationem habeat, et magna subsidia etiam ad omnia vitae officia sequenda. Quibus instructi, pietatem in Deum auctorem omnium, observantiam erga regem pastorem populi, studium in rempublicam communem omnium matrem, melius usurpantes, non sibi solum nasci videantur, sed Deo, regi, et patriae utiles et officiosi sint. Dat. Grenwici 20 Maii, anno regni nostri septimo.

Mandatum pro publicatione nonnullorum articulorum veram Christi fidem concernentium. Ex reg. Cranmer. fol. 65. b.

EDWARDUS sextus Dei gratia Angliae, et Franciae, et Hiberniae rex, fidei defensor, et in terra ecclesiae Anglicanae et Hibernicae supremum caput, dilectis sibi officiali curiae Cantuar. et decano decanatus de arcubus London. ac eorum surrogatis deputatis, aut locum tenentibus, uni vel pluribus, salutem. Quoniam nuper per literas nostras regias signeto nostro obsignatas, reverendissimo in Christo patri, consiliario nostro fidelissimo Thomae Cant. Archiepiscopo, totius Angliae primati et metropolitano dederimus in mandatis, quatenus ipse ad Dei optimi maximi gloriam illustrandam nostrumque et ecclesiae nostrae Anglicanae (cujus caput supremum post Christum esse dignoscimur) honorem; et ad tollendam opinionum dissensionem, et consensum verae religionis firmandum, nonnullos articulos et alia rectam Christi fidem spirantia, clero et populo nostris ubilibet infra suam jurisdictionem degentibus pro parte nostra exponeret, publicaret, denunciaret, et significaret, prout in literis nostris (quarum tenores pro hic insertis haberi volumus) latius continetur, et describitur: vobis igitur et vestrum cuilibet tenore praesentium districte praecipiendo, nostra sublimi regia auctoritate mandamus; quatenus moneatis, monerive faciatis peremptorie, omnes et singulos rectores, vicarios, presbyteros, stipendiarios, curatos, plebanos, mi-

nistros, ludimagistros cujuslibet scholae grammaticae, aut aliter vel alias grammaticam aperte vel private profitentes, aut pubem instituentes, verbi Dei praedicatores, vel praelectores, necnon quoscunque alios quamcunque aliam functionem ecclesiasticam (quocunque nomine aut appellatione censetur, habetur, aut nuncupatur) obtinentes et habentes; oeconomos quoque cujuslibet parochiae infra decanatum de arcubus praedict. existentes, aut degentes; quod ipsi omnes et eorum quilibet per se compareant vel compareat personaliter coram dicto reverendissimo patre Cantuar. archiepiscopo in aula aedium suarum apud Lambeth die Veneris vicesimo tertio die praesentis mensis Junii, inter horas septimam et nonam ante meridiem ejusdem diei, his quae tunc eis ex parte nostra fuerint significand. humiliter obtemperaturi, facturique ulterius et recepturi, quod consonans fuerit rationi, ac suo convenerit erga nostram regiam dignitatem officio: mandantes quatenus dictis die et loco, et horis eundem reverendissimum de executione hujus regii nostri mandati, una cum nominibus et cognominibus omnium et singulorum per vos monitorum rite, recte, et auctentice reddatis certiore, una cum praesentibus, uti decet. Teste Thoma Cant. archiepiscopo praedicto decimo nono die Junii, anno regni nostri septimo.

80 *Controversy betwixt the archb. of Ardmagh and Dublin.*

Papae Rom.
JULII III. 4.

Archiepisc. Cant.
THO. CRANMER. 21.

Anno Christi
1553.

Reg. Angliae
MAR. I.

An historical narration of the controversy betwixt the archbishops of Ardmagh and Dublin, touching the primacy: which ended in the first year of Q. Mary's reign. Ex MS. Coll. Trin. Dublin. L. D. 42.

THE first occasion of the breach betwixt the archbishops of Ardmagh and Dublin was occasioned by certain bulls procured by the archbishop of Dublin from the court of Rome. For John Comyn the first English archbishop of Dublin, being consecrated by pope Lucius the third at Belitre, in the year of our Lord 1182. procured a bull from him; wherein among other privileges, this was inserted for one. "Sacrorum quoque canonum auctoritatem sequentes, statuimus ut nullus archiepiscopus vel episcopus absque assensu Dubliniensis archiepiscopi, si in archiepiscopatu fuerit, in dioecesi Dublinensi conventus celebrare, causas etiam et ecclesiastica negotia ejusdem dioecesis (nisi per Romanum pontificem, vel legatum ejus eidem fuerit injunctum) tractare praesumat." Which notwithstanding the opposition of the archbishop of Ardmagh, was twice renewed again in the year 1216. by pope Innocent III. in the end; and Honorius III. in the beginning of his papacy, at the solicitation of Henry de Londres, archbishop of Dublin. This Henry entred into a covenant with the archbishop of Cashel, (the copy whereof is yet extant) to oppose the primate's claims with common care and expences; and being a favourite of the court, and the pope's legate in this country, he prevailed so far, that in the year 1221, he obtained this bull following from the foresaid pope Honorius in the behalf of his see.

"Honorius episcopus, servus servorum Dei, venerabili fratri Dublin. archiepiscopo, salutem et apostolicam benedictionem. Cum secundum divinae legis praeceptum nemo falcem suam debet mittere in messem alienam, ne quod ab alio non vult sibi fieri alii facere videatur; nos tuis precibus inclinati auctoritate praesentium inhibemus, ne cuiquam archiepiscopo vel alii praelato Hiberniae (praeter suffraganeos tuos, aut apostolicae sedis legatum) sine tuo et successorum tuorum assensu bajulare crucem, celebrare conventus (religiosis exceptis) vel causas ecclesiasticas, nisi a sede apostolica delegatus [fuerit] tractare liceat in provincia Dublin. Nulli ergo omnino hominum liceat hanc paginam nostrae inhibitionis infringere, vel ei ausu temerario contraire; si quis hoc attemptare praesumpserit, indignationem omnipotentis Dei, et beatorum Petri et Pauli, apostolorum ejus, se noverit incursum. Datum Laterani sexto idus Decemb. pontificatus nostri anno sexto."

The archbishop of Ardmagh on the other side bore out himself with a grant obtained from pope Caelesthine III. and confirmed also by his successor pope Innocent III. By reason of which contrariety of grants, a great controversy

depended in the court of Rome betwixt Reynard of Ardmagh, and Luke of Dublin, in the year 1250. which was held in suspense, until at last pope Urban IV. confirmed the order set down by Caelesthine, and established the rights of the primacy to the see of Ardmagh in manner following.

"Primatiam vero totius Hiberniae, quam praedecessores tui usque ad haec tempora inconcussè habuisse noscuntur, ad exemplar supradicti Caelestini papae praedecessoris nostri, tibi tuisque successoribus auctoritate apostolica confirmamus; statuentes, ut Hiberniae archiepiscopi, episcopi, et alii praelati tibi et tuis successoribus, tanquam primati obedientiam et reverentiam omni tempore debeant exhibere. Porro crucem, vexillum scilicet dominicum, per provincias et episcopatus tibi metropolitico et primatiae jure subjectas, sicut praedecessoribus tuis concessum fuisse dignoscitur, ante te deferendi licentiam impertimur."

These privileges thus renewed, were presently published by the archbishop of Armagh in a provincial synod held at Drogheda, whereof in the registry of that church we read thus: "A Feria secunda, luna 18 mensis Januarii, anno Dom. 1262. frater Patricius^b Ostannail, archiepiscopus Ardmachanus, Hiberniae primas concilium celebravit apud pontem cum suffraganeis provinciae suae, et quibusdam suffraganeis provinciae Tuamensis sibi jure primatifico subjectis, et quibusdam canonicis cathedralibus et consilio Dom. Dubliniensis, cui interfuerunt justitarius et quidam magnates Hiberniae; et ibidem privilegia ecclesiae Ardmachanae de jure primatiae post renovationem in curia Romana publicata fuerunt." After this, the controversy ceased a while until the year 1311. when in the parliament held before John Wogan, lord justice at Kilkenny, the bishops falling into arguments about their jurisdictions, the bishop of Dublin forbade the primate of Ardmagh to lift up his crozier within the province of Leinster, as Campion reporteth in his history of Ireland, lib. 2. cap. 5. And in the year 1313, this accident following thereupon is related, in the Irish annals published by Mr. Cambden. "Frater Rolandus Joice, primas Ardmachanus applicuit in insula de Houth in crastino annunciationis B. Mariae. De nocte surgens furtive levando crucem suam, illam portavit usque prioratum de gratia Dei. Cui occurrebant quidam de familiaribus archiepiscopi Dubliniensis, illam crucem deponendo, et ipsum Ardmachanum tanquam confusum a Lagenia effugarunt." In the same annals likewise, at the year of our Lord 1337. this narration is laid down: "Domino Johanne Charle-

^a Ex reg. Octaviani archiep. Ardmagh, f. 282.

^b In Sir J. Ware, his name is O Scanlain.

ton existente justituario et tenente parliamentum Dublinii, magister David O Hirraghey, archiepiscopus Ardmachanus vocatus ad parliamentum fecit residentiam in monasterio B. Mariae juxta Dublinium. Sed impeditus fuit per archiepiscopum et clericos, quia voluit portare crucem ante eum, et noluerunt permittere eum. Upon which occasion David caused the aforesaid clauses of pope Urban's bull, confirming the privileges of the see of Ardmagh to be exemplified under the great seal of Ireland, "nono vigesimo Nov. anno regni Edwardi III. undecimo," as appears by the "Inspecimus" of the said letters patent, preserved amongst the records of the tower of London, "inter patent, an. 2. Hen. IV. part 3. membran. 5." But what further prosecution he made of this business I do not find. In the year 1349. the contention broke out more fiercely, betwixt Richard Fitz Ralph, commonly called S. Richard of Dundalk, the famous archbishop of Ardmagh, and Alexander Bicknore, archbishop of Dublin; the narration whereof in the registry of Ardmagh is thus laid down. "Anno Dom. 1349. rex Angliae misit diversas literas domino Richardo archiepiscopo Ardmachano, Hiberniae primati, quod posset deferre crucem suam ante se in qualibet parte Hiberniae. Scripsit etiam majoribus et potentibus Hiberniae, quod primatem Hiberniae in prosecutione juris ecclesiae Ardmachanae, quoad primatiam, juvarent, et in nullo resisterent. Praedictus vero dominus Richardus, primas Hiberniae, confusus de jure suo, et de potentia Dei, juvamine beati Patricii patroni sui accessit cruce erecta ante se usque ad Dubliniam, et per Dubliniam, et ibidem thalamum recepit, in villa per tres noctes stetit, privilegia ecclesiae Ardmachanae et bullas primatiae coram justitiariis Hiberniae, priore de Kilmanam, et majoribus de Hibernia ibidem existentibus, legit et publicavit, in omnes contradictores et rebelles sententiam excommunicationis fulminavit; praedictus justitarius, et prior de Kilmanam cum suis complicibus, recepta pecunia de archiepiscopo Dublin. negotia ecclesiae Ardmachanae impediverunt. Domino vero primате revertente ad villam Pontanam, omnes illos et singulos excommunicatos publice denominavit. Ipsi vero recognoscentes errorem ipsorum humiliter ad dominum primatem usque villam Pontanam venerunt, et genibus flexis eodem coram primate absolutionem obtinuerunt. Eodem anno statim post recessum domini primatis de Dublinia prior de Kilmanam secundus principalis conspirator contra ecclesiam Ardmachanam infirmatus fuit ad mortem, et errorem suum recognovit, et nuncios solennes et procuratores speciales ad villam de Drogheda usque dominum primatem misit; et se et omnes de parentela sua ad hoc obligavit, quod nunquam ipsi aut aliquis ex ipsis contra ecclesiam Ardmachanam in ea parte insurgerent vel insurgeret; et cito missis nunciis per miracula beati Patricii mortuus est, et non traditus fuit ecclesiasticae sepulturae, donec auctoritate do-

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mini primatis, quia in eo apparebant signa poenitentiae salutaris, fuit absolutus.

Eodem anno Alexander archiepiscopus Dublin. propter injurias et seditiones quas contra ecclesiam Ardmachanam fecit et procuravit, tuus est."

John St. Paul, or de sancto Paulo, succeeded Alexander in the archbishoprick of Dublin, who nothing terrified with what had passed, procured out of England in the year 1350. a revocation of the kings letters, granted to Richard of Ardmagh, and a stay of his execution of the primacy within the province of Dublin, as in the ensuing letters patent of king Edward III. more fully may appear.

"Edwardus Dei gratia rex Angliae, et Franciae, et dominus Hiberniae justituario ac cancellario et thesaurario nostris ibidem, nec non universis et singulis officiariis ac ministris caeterisque fidelibus nostris, tam civibus et burgen-sibus, quam popularibus in terra praedicta, infra libertates et extra, ad quos praesentes literae pervenerint, salutem. Cum nuper archiepiscopus Ardmachanus primatem Hiberniae se praetendens, suggerensque ipsum praetextu primatiae hujusmodi et privilegiorum sibi per sedem apostolicam (ut asserit) concessorum crucem suam eundo et equitando ubique per dictam terram nostram Hiberniae erectam ante se portare facere, et quam pluribus privilegiis et juribus, ut ad primatiam illam spectantibus per medium ejusdem terrae debite uti posse literas nostras patentes de protectione et defensione nostris pro se, hominibus et familiaribus suis in executione praemissorum faciend. mandatum etiam continentes quod vos praefatum archiepiscopum dictam crucem suam ubilibet in terra praedicta, et in civitatibus et burgis, quam locis aliis ante se portare facere, et quicquid ad dictam primatiam pertinet facere et exercere absque impedimento seu impetitione aliqua permetteretis. Nec non quaedam alia mandata nostra singularia vobis praefatis justituario ac majori et ballivis civitatis nostrae Dublin. diversisque aliis majoribus, et ballivis, ac ministris et fidelibus nostris sub magno sigillo nostro Angliae directa; quod dictas literas nostras in civitate Dublin. et alibi ubi expedire videritis, publice proclamari, et contenta in eisdem in singulis articulis observari et teneri faceretis; et omnibus fidelibus nostris ibidem inhiaberetis ex parte nostra, ne dicto archiepiscopo aut suis in exercitio primatiae et privilegiorum suorum in terra praedicta sub poena incarcerationis corporum suorum, ac captionis libertatum in manum nostram impedimentum aliquod inferrent, contra tenorem literarum nostrarum earundem in cancellaria nostra ad suggestionem hujusmodi impetrassent, prout in literis nostris et mandatis praedictis continetur. Et licet per tenorem cujusdam bullae felices recordationis Honorii papae in cancellaria nostra praedicta sub sigillo nostro, quo utimur in Hibernia, exhibitum liqueat evidenter, quod idem Honorius papa inhibuit, ne cuiquam archiepiscopo vel alii praelato Hiberniae praeter suffraganeos Dubliniensis archiepiscopi, aut apostolicae sedis legatum,

gatum, sine ipsius archiepiscopi Dubliniensis et successorum suorum assensu bajulare crucem, celebrare conventus (religiosis exceptis) vel causas ecclesiasticas, nisi de sedis apostolicae delegatis, tractare liceat in provincia Dublin. ipsaque Dubliniensis ecclesia sic dicta, et nonnullis aliis sedis apostolicae privilegiis et praescriptionibus legitimis sit munita ac gavis haecenus libertate, quod nullus archiepiscopus Ardmachanus seu alius terrae praedictae praeter ipsum Dublin. archiepiscopum, nullo unquam tempore crucem suam ante se erectam in Dublin. provincia bajulare debuit, nec etiam bajulavit, nec causas tractavit ecclesiasticas in eadem, per quod jus seu usus privilegiorum aut praescriptio seu libertas hujusmodi de jure interrupta fuerint vel interrumpi debuerint sive laedi; prout inde sumus plenius informati: praefatus tamen archiepiscopus Ardmachanus colore literarum et mandatorum nostrorum praedictorum, quae tacite in impetratione eorum de jure et privilegiis Dubliniensis ecclesiae, et expresse de contraria veritate ad minus veracem suggestionem hujusmodi in dicta cancellaria nostra obtinuit; et quae eo praetextu et ob propositas coram nobis quasdam alias causas surreptitiae obtenta dici debent aliqua in grave et enorme praepjudicium ipsius Dublin. ecclesiae et cleri provinciae ejusdem, ac contra privilegia, praescriptiones, usus et libertatem praedicta abusive quibusdam confederatis suis sibi assistentibus in eisdem civitate et provincia Dublin. temere attemptavit, unde ejusdem civitatis et partium vicinarum populus vehementer movebatur: et nos advertentes, quod ex turbatione et praesumptione hujusmodi literarum et mandatorum nostrorum praedictorum obtenta congressus populorum, provinciarum utrarumque bellicus verisimiliter formidatur; nolentesque nec intentionis nostrae extitit nec existit praepjudicium seu injuriam praedictae Dublin. ecclesiae de nostro patronatu existenti, seu ejusdem juribus, privilegiis, aut libertati, ratione literarum et mandatorum nostrorum praedictorum, seu alia causa fieri; sed desiderantes ipsam in suis juribus et privilegiis confoveri, et eminentia ex praemissis pericula evitari, et subditorum nostrorum paci et quieti ubilibet provideri, praedictas literas et mandata nostra ad hujusmodi et majora suscitanda pericula inductiva, quatenus de facto processerunt, per literas nostras patentes vobis directas revocaverimus; permittentes quod quilibet jura in hac parte in forma juris prosequeretur, prout expedire noverit, et defenderet, ita scilicet quod ex hujusmodi praesumptionibus temerariis in populis nostris praedictis non fieret conjunctio, nec pax nostra aliquammodo violaretur, prout in literis nostris praedictis plenius continetur. Ac jam intellexerimus quod quam plures malefactores et pacis nostrae perturbatores ex utraque provinciarum praedictarum in diversis considerationibus et conventiculis tam armati, quam alio modo in diversis locis in terra praedicta congregati, praetextu literarum nostrarum dictarum praedicto archiepiscopo Ardmachano per nos concessarum, et sicut praedicatur, per nos revo-

catarum, archiepiscopum Ardmachanum praedictum cum cruce erecta et coram eo in praedicta civitate Dublin. et alibi in provincia Dublin. portata, et alia quae ad dictam primatiam pertinent ibidem extendendam, per hujusmodi potentiam suam manutenere proponunt, in pacis nostrae laesionem et populi nostri partium illarum terrorem et commotionem manifestam, et contra formam statuti de armis contra pacem nostram non portandis editi, et contra tenorem revocationis nostrae supradictae; nos pacem nostram ubique in dicta terra nostra inviolabiliter observari, et ipsam pacem nostram laedentes juxta suorum demerita ac etiam dictum statutum contra venientes juxta vim et effectum ejusdem castigari volentes et puniri; ac periculis quae hujusmodi hominum ad arma armatorum et aliorum evenire poterunt, quod absit, praecavere vobis praefato cancellario mandamus firmiter injungentes, quod per brevia nostra sub sigillo, quo utimur in Hibernia, quoties necesse fuerit, omnibus et singulis, quos decet, dictis in mandatis, quod publice proclamari, et ex ea parte nostra defendi faciatis, quod nulli sub forisfactura vitae et membrorum et omnium aliorum quae nobis forisfacere poterunt, hujusmodi congregationes hominum ad arma armatorum, seu aliorum occasione praescripta facerent aliquo modo; et vobis praefatis justitiariis, officiariis et ministris nostris, et quorumcunque aliorum fidelium nostrorum in terra praedicta infra libertates et extra mandamus firmiter injungentes, quod omnes illos, quos aliquas hujusmodi congregationes vel conventicula in terra praedicta, praemissa occasione, seu quicquam aliud, per quod dicta pax nostra vel statutum praedictum laedi seu populum nostrum terreri, turbari aut commoveri valeant in hac parte inveneritis facientes, insequamini, arrestetis, et capiat et in prisonis nostris, donec ipsi per vos praefatos justiciarios, seu ad mandatum vestrum suorum demerita ac vim et effectum statuti praedicti debite puniti fuerint, salvo custodiri faciatis. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westmonasterium octavo die Decembris, anno regni nostri Angliae vicesimo quarto, regni vero nostri Franciae undecimo."

And when for all this Fitz Ralph would not give over the prosecution of that, which he conceived to be the right of his church, the archbishop of Dublin obtain'd other letters patent from the king in the year 1352, the tenor whereof is as followeth.

"Edwardus Dei gratia rex Angliae et Franciae, dominus Hiberniae justituario et cancellario suis Hiberniae, qui nunc sunt, vel qui pro tempore erunt, ac eorum loca tenentibus, salutem. Cum scilicet ecclesia Dublin. notorie sit metropolitica et sedi apostolicae soli, et in solidum in spiritualibus omnibus juribus immediate subiecta, adeo quod nullus archiepiscopus Ardmachanus primatem Hiberniae se praetendens crucem ante se erectam in civitate, dioecesi et provincia Dublin. ut dicitur, jus habuit bajulare, nec etiam bajulavit, nec jurisdictionem ibidem

dem exercuit aliquam; Richardus tamen archiepiscopus Ardmachanus in dictis civitate, dioecesi, et provincia crucem suam ante se erectam deferre, ac visitationis officium, ac jurisdictionem aliam indebite exercere, et sic fideles nostros ad examen suum in ecclesiam suam Ardmachanam inter inimicos nostros solcite (ut dicitur) trahere nititur juxta vires, nedum in nostri et dictae ecclesiae Dublin. injuriam, sed in commotionem populi et pacis nostrae perturbationem, ac nostri domini et ipsius terrae nostrae Hiberniae, nisi tantae praesumptioni celerius occurratur, subversionis periculum manifestum. Nos de conservatione juris et honoris ipsius ecclesiae Dublin. (cum sit honorabilior ecclesia dictae terrae) ac etiam gratia et consideratione venerabilis patris Johannis archiepiscopi Dublin. (quem propter experta probitatis suae merita summopere diligimus) sumus solliciti; ac considerantes quod civitas illa est ibidem civitas nostri regni peculiaris et praecipua; ac provide desiderantes tam ipsius ecclesiae ut quam populi nostri fidelis dictarum partium prospicere commodis et quieti, et periculosis commotionum eventibus, quae ex dissensione inter dictos archiepiscopos et illorum subditos provenire poterunt, pro viribus obviare: vobis et cuilibet vestrum in dilectione et ligeancia, in quibus nobis tenemini, firmiter injungendo mandamus, quod singulis comitibus, baronibus, militibus, vicecomitibus, majoribus, ballivis, seneschallis libertatum ab omnibus aliis fidelibus nostris in terra Hiberniae, tam infra libertates, quam extra, prout et quoties expedire videritis, ex parte nostra firmiter inhibeatis, et per breviam sub sigillo nostro, quo utimur in Hibernia, quoties opus fuerit fact. faciatis firmiter inhiberi; ne qui sub forisfactura omnium quae nobis forisfacere poterunt, novitates aliquas in dicta terra Hiberniae, et in fidelibus populis nostris ibidem (quibuscunque coloribus) introducant in hac parte, aut usurpationes indebitas vel insolitas facere, seu armatam potentiam super fideles nostros inducere, vel quaecunque alia quibuscunque processibus attemptare praesumant, per quae pax nostra ibidem laedi, aut populus noster praedictus sive communitates commoveri vel terreri, seu divisio vel dissensio in eisdem populis fieri, vel subversio juris regii (quod absit) ulterius causari, seu dignitati nostrae regiae aliquo modo valeat derogari; et praemissa nihilominus, prout expedire videritis, in civitatibus, villis et in locis aliis infra libertates et extra publicari faciatis, et omnes quos post et contra inhibitionem et proclamationem nostras hujusmodi inveneritis sic delinquentes, tam per incarcerationem corporum suorum, quam per captionem terrarum, tenementorum, bonorum et catallorum suorum in manum nostram juxta quantitatem delicti aliter castigari et puniri faciatis, quod metu poenae alii ex praesumpta audacia talia committere terreantur. De nominibus etiam eorum, qui sic deliquerunt, nos de tempore in tempus sub dicto sigillo nostro Hiberniae certificantes, ut eos jux-

ta ordinationem nostri consilii puniremus: et praedicta omnia sicut nos et honorem nostrum ac salvationem dictae terrae dilexeritis; et vos ipsos erga nos indempnes servare volueritis, cum omni diligentia faciatis. Teste meipso apud Westmonasterium duodecimo die Maii anno regni nostri Angliae vicesimo sexto, regni vero nostri Franciae tertio decimo."

From hence the controversy was removed to the court of Rome in the year 1353: where the matter being discussed at large before pope Innocent the sixth, is said to have received at last this decision; which as I found it written by John Allen archbishop of Dublin, in the days of king Henry the eighth; in his own very words I here lay it down. "Quinimo in bibliotheca papae secretiori Romae, dum isthic moram traxi (annis undecim procurator reverendissimi domini Willelmi Cantuariensis archiepiscopi, totius Angliae primatis) casu profecto fortuito; inter legendum lites et controversias alias in curia inibi pendentes, in registro Innocentii 6ti reperi praetactam litem sopitam auctoritate papae, et approbante collegio cardinalium, sub hac forma sequenti. viz. quod uterque esset primas, sed ad distincte scribendum archiepiscopus Ardmachanus intituleret se totius Hiberniae primatem, metropolitanus autem Dubliniensis exararet se Hiberniae primatem; instar, inquit summus pontifex, in Anglia, Cantuariensis et Ebor. quorum prior scribit se totius Angliae primatem, sed alter Angliae primatem. Subscr. Johannes Dublin. electus, manu mea propria, anno ab incarnat. 1529."

But it appeareth in the registry of Ardmagh, that the strife was yet depending^a in the court of Rome 20. January 1366. at which time the controversy grew so hot betwixt Miles Sweetman, who succeeded Richard Fitz-Ralph in Ardmagh, and Thomas Mynotte, who succeeded John St. Paul in Dublin, that king Edward was fain to interpose himself again in the business. The course which he required should be observed was, that the matter should be friendly compounded betwixt them, and that according to the example of the agreement made betwixt the archbishops of Canterbury and York in the like case, both should bear up their crosses in each others province, without any interruption or resistance; as appeareth both by other of the king's writs issued in this cause, and especially by his letters directed to the archbishop of Ardmagh from Westminster 9. Junii anno regni 40." The answer which he received from the archbishop of Ardmagh herein, was as followeth.

^b "Excellentissimo in Christo principi ac domino, domino Edwardo Dei gratia regi Angliae illustrissimo, ac domino Hiberniae et Aquitaniae, suus humilis capellanus Milo, eadem gratia archiepiscopus Ardmachanus, Hiberniae primas salutem, &c. Post cujus brevis receptionem obtemperans mandatis vestris personaliter comparui per duos dies, viz. 17. mensis Septembris extunc sequente, et die 24. e-

^a Reg. Milo. fol. 25. a.

^b Reg. Milo. fol. 1 b.

jusdem mensis viz. die Jovis proxime ante festum sancti Michaelis, ad tractandum cum venerabili patre archiepiscopo Dublin. super materiam in ipso brevi contentam, de certis locis in provinciarum nostrarum confinio. In quibus diebus et locis dictis, archiepiscopus Dublin. praesentiam suam non exhibuit personalem, licet ad hoc fuerit praemonitus; sed die ultimo, viz. die Jovis proxime ante festum sancti Michaelis archangeli proxime futurum, quosdam suos procuratores ad me in loco assignato personaliter existentem destinavit; qui procuratores in tractatu illo mecum habito, petiverunt, ut omnibus in ipso brevi contentis parerem, praecipue de bajulatione crucium nostrarum in provinciis nostris mutuo facienda; quae facere non potui ex causis subsequentibus, pro eo quod propter brevitatem temporis a receptione vestri brevis cum decano et capitulo meo ac suffraganeis provinciae meae procul a me distantibus quidem per centum milliaria aut ultra, ac viarum discrimina, licet pro consilio ipsorum ad haec habenda diligentiam debitam fecissem, quorum consilium in tam arduo negotio erat necessarium et consensus, tractare non potui, et propterea nec finem apponere in praemissis. Eo etiam quia super bajulatione crucis meae in signum superioritatis et juris primatiae in provincia Dublin. sicut in caeteris aliis Hiberniae provinciis jus commune et privilegia a sede apostolica quam plurima, ac literas vestrae dominationis excellentissimae diversas patentes, exemplificationem quorundam privilegiorum praemissorum continentes, habeo, quod sine impedimento exercere jus primatiae in provincia Dublin. et crucem suam bajulare et per totam Hiberniam valeat archiepiscopus Ardmachanus Hiberniae primas quilibet, qui pro tempore fuerit, pro loco et tempore opportunis eidem excellentiae vestrae habeo exhibenda; quorum aliquainspicienda in praesenti excellentiae vestrae transmittito. Eo insuper quod super bajulatione crucis meae as juris primatiae per multos annos pendet lis mota ex parte ecclesiae meae Ardmachanae contra archiepiscopum Dublin. atque in ea parte in Romana curia indecisa; sed super bajulatione crucis suae in provincia mea nunquam controversia, sive debata, aut mentio habebatur, licet de hoc ad suggestionem minus veram, nescio cujus aliter continetur; nec exemplum concordiae ad interpositionem partis vestrae atque rogatum inter archiepiscopos Cantuariensem et Eboracensem initae, est inter nos consimile ac inter illos, quia nunquam inter nos tanquam partes actrices ex utraque parte lis super bajulatione crucium et superioritatis in alterius provincia vertebatur. Insuper quilibet archiepiscopus Ardmachanus, primas Hiberniae habet, seu habere debet de jure et antiqua consuetudine tres archiepiscopos in Hibernia sibi subiectos; viz. Dublin. Casselensem et Tuamensem; quorum unum, viz. archiepiscopum Tuamensem recalitrantem Ardmachanus vicit judicialiter in Romana curia: et quod ipse cum jure primatico visitaret de quinquennio in quinquennium, bullam ab apostolica sede obtinuit, quam habeo

de praesenti. Quare excellentiae vestrae humiliter supplico et devote, quatenus cum propter temporis brevitatem, prout decet hominem status mei, non potero ad ipsam excellentiam, sicut breve vestrum requirit, personaliter in Angliam venire; etiam attentis excusationibus meis supradictis ac aliis evidentiis quam plurimis jus primatiae praedictae concernentibus, quae in omnibus hac vice exprimi non poterint, vestrae excellentiae antedictae, dignetur eadem me vestrum excusatum habere: et ne talia vel consimilia brevia in posterum extra vestram cancellariam emanent, et si quae emanarunt, quod revocentur, de gratia vestrae celsitudinis demandare. Prospere et feliciter vestram excellentem dominationem conservet altissimus ad utile regimen sui populi ditioni vestrae subiecti per tempora longiora. Script. sub meo sigillo in manerio de Dromiskin die Sabbati, &c."

The order set down by King Edward in England for the taking up of this controversy being not observed by the archbishops here, Lionel duke of Clarence, the king's son and lieutenant in Ireland, directed the king's writ unto the sheriff of Dublin (dated at Killkenny, 3. Octob. anno regni 40. anno viz. Dom. 1366) "quod scire faciat archiepiscopo Dublin," (so the words of the precept run) "quod sit coram locum tenente nostro in terra nostra Hiberniae apud Tristelder die Martis proximo post festum S. Lucae evangelistae prox. futur. ad respondendum nobis de contemptu praedicto." The like also was issued (no doubt) against the archbishop of Ardmagh. But what followed thereupon I cannot yet find.

In the days of Rich. Talbot, archbishop of Dublin (who bore the office of lord justice and deputy six several times in this kingdom) the matter was so strongly carried on against the archbishops of Ardmagh, that three of them one after another, John Swayne in the year 1435. John Prene in the year 1442. and John Mey in the year 1446. being summoned amongst the rest of the nobles to appear at parliaments and grand councils, desired to be excused for their non appearance, by reason of the wrong offered unto them by the archbishop of Dublin, in not suffering them to bear up their crosser within that province. Where it is not to be omitted also, that upon the death either of Swayne or Prene 1443. July the 15th. the dean and chapter of Ardmagh made choice of Richard Talbot himself to be their archbishop. The proem of the letters, wherein they intimate this election unto pope Eugenius the fourth, setteth forth the privileges of the see of Ardmagh in manner following.

"Serenissimo in Christo patri et domino suo domino Eugenio, digna Dei providentia sacrosanctae Romanae ac universalis ecclesiae summo pontifici, sui humiles et devoti decanus et capitulum ecclesiae Ardmachanae, vacante ecclesia, quae mater existit et primatum tenens omnium ecclesiarum totius Hiberniae, et existens in jure primatiae plenario adeo auctoritate apostolica privilegiata, quod omnes Hiberniae archiepi-

archiepiscopi et episcopi archiepiscopo Ardmachano et successoribus suis tanquam suo primati obedientiam, reverentiam, et honorem omni tempore debeant exhibere, et ad sui honoris primatialis insignie, crucem sive vexillum idem archiepiscopus et primas Ardmachanus et sui successores per omnes Hiberniae provincias et dioeceses ante se facere posset deferre; indultis apostolicis et ipsius praedictae ecclesiae Ardmachanae chronicis super illo satis plene attestantibus."

^a And indeed not long after this the archbishops of Ardmagh seem to have enjoyed and quietly exercised this primacy over all the provinces of the kingdom; for in the records belonging to that archbishoprick we find letters issued by John Bole anno 1461. for visitation of the provinces of Cashel and Tuam, and the next year after, a sentence given upon an appeal made from the archbishop of Dublin to the primates consistory in manner following: "In Dei nomine, Amen. Auditis, visis, cognitis, et plenius intellectis, &c. dat 5. die Novembris, anno Dom. 1462."

Neither do I find any difference worth the relating after this until the year of our Lord 1533. wherein at the time of parliament John Allen, archbishop of Dublin entred into contestation for precedency with George Crommer archbishop of Ardmagh; upon whom the office of lord chancellor was conferred by the king the year before, which Allen formerly had exercised. "Tempore meo 1533. orta est controversia inter me et Ardmachanum etiam tunc Cancellarium regis hic", is all that Allen writeth of this; who would not in all likelihood have omitted to make mention of the success of that contention, if the matter had not been carried on the chancellor's side. But to put an end to all those controversies and contentions George Browne the next successor of Allen, during the vacancy of the see of Ardmagh in the year of our Lord 1551. procured letters from king Edward the sixth, that the title and office of the primacy of all Ireland should from thenceforth be forever annexed unto the see of Dublin. Which letters patents shortly after in the beginning of the reign of queen Mary, by the procurement of George Dowdall, the then archbishop of Ardmagh, were caused to be surrendred by him in chancery; upon the cancelling whereof, new letters patent were passed under the great seal, for the reestablishing of the said title and office of primacy of all Ireland in the see of Ardmagh, according to the antient usage; the copy of which patent doth here follow.

"Maria, &c. omnibus ad quos, &c. salutem. praecharissimus frater noster bonae memoriae Edwardus sextus nuper rex Angliae per literas suas patentes dederit et concesserit Georgio Dublin. archiepiscopo nomen, dignitatem, stylum, et titulum totius Hiberniae primatis, habenda

sibi et successoribus suis in perpetuum; quod nomen, dignitatem, stylum, et titulum dilectis noster Georgius Ardmachanus archiepiscopus et praedecessores sui a tempore, cujus contrarii memoria hominum non extitit, habuerunt, usi et gavisi fuerunt, donec virtute earundem literarum privatus et amotus fuit a dictis dignitate et officio versus omnes justitiae ordines absque aliquo bono fundamento seu causa: quas quidem literas patentes dictus archiepiscopus Dublin. in cancellaria nostra Hiberniae reddidit cancellandas, et sic eae cancellatae existunt; sciatis quod nos de gratia nostra speciali, ac ob alias certas causas nos moventes, ac ex certa scientia et mero motu nostris juxta vim, formam, et effectum quarundam literarum sive instructionumstrarum manu propria signatarum, signetoque nostro consignatorum praedilecto et fideli consiliario nostro Anthonio St. Leger ordinis nostri Garterii militi, uni de privato concilio nostro Angliae, et deputato nostro regni nostri Hiberniae, et consilio nostro regni nostri Hiberniae praedict. directarum et in rotulis cancellariae nostrae Hiberniae praedictae irrotulatarum, dictum nomen, stylum, et dignitatem primatis, et primatiae totius Hiberniae praefato Georgio archiepiscopo Ardmachano damus, imponimus et restituimus per praesentes; ac ipsum Georgium archiepiscopum Ardmachanum, successoresque suos archiepiscopos Ardmachanos totius Hiberniae, facimus, constituimus, ordinamus et assignamus, et officium primatiae totius Hiberniae, nec non nomen, stylum, titulum, et dignitatem primatiae et primatis totius Hiberniae praedict. eidem Georgio archiepiscopo Ardmachano, et successoribus suis archiepiscopis Ardmachanis dedimus et concessimus, et per praesentes damus et concedimus habendum, tenendum, gaudendum, occupandum et exercendum officium praedictum, nomen, stylum, titulum, ac caetera praemissa cum omnibus et singulis reverentiis, praeelementis et honoribus universis praefato Georgio archiepiscopo Ardmachano, et successoribus suis archiepiscopis Ardmachanis in proprios usus praefato archiepiscopatu sedique ejusdem unitis, appropriatis, consolidatis, et annexis in perpetuum, in tam amplis modo et forma prout dictus archiepiscopus et praedecessores sui, tempore, cujus contrarii memoria hominum non extitit, habuit, gavisus fuit, et tenuit, habuerunt, gavisi fuerunt et tenuerunt; volentes et firmiter injungentes, quod praefatus Georgius archiepiscopus, et successores sui archiepiscopi Ardmachani, et non praedictus archiepiscopus Dublin. nec successores sui, nec quisquis alius archiepiscoporum tanquam totius Hiberniae primas ab omnibus ejus regni incolis deinceps censeatur, appelletur, adjudicetur, et omnino vocetur. Mandantes autem universis et singulis archiepiscopis, episcopis, decanis, archidiaconis, rectoribus, vicariis, presbyteris, ministris, et fidelibus ligeis nostris, quod praefato Georgio archiepiscopo Ardmachano, et successoribus suis ar-

^a Reg. Talbot. fol. 13. b. et 22. a.

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chiepiscopis Ardmachanis in exercitio officii primatis et primatiae praedictae, ac caeterorum praemissorum pareant, respondeant, obediant, et intendant, prout decet, &c.

In cujus rei, &c. aliquo statuto, &c. teste praefato Anthõnio St. Leger apud Dublin. duodecimo die Martii, regni nostri primo.

Papae Rom.
JULII III. 4.

Archiepisc. Cant.
THO. CRANMER. 21.

Anno Christi
1553.

Reg. Angliae
MARIAE I.

Queen Mary's first proclamation about religion. Ex Heylin hist. refor. p. 193.
Et ex Fox pr. ed. fol. 803.

THE queen's highness well remembring, what great inconvenience and dangers have grown to this her realm in times past through the diversity of opinions in question of religion; and hearing also, that now of late sithence the beginning of her most gracious reign the same contentions be again much revived, through certain false and untrue reports and rumours spread by some evil disposed persons, hath thought good to give to understand to all her highness most loving subjects her most gracious pleasure in manner following.

First, her majesty being presently by the only goodness of God settled in her just possession of the imperial crown of this realm, and other dominions thereunto belonging, cannot now hide that religion, which God and the world knoweth she hath ever professed from her infancy hitherto; which as her majesty is minded to observe and maintain for herself by God's grace during her time, so doth her highness much desire, and would be glad, the same were of all her subjects quietly and charitably entertained.

And yet she doth signify to all her majesty's loving subjects, that of her most gracious disposition and clemency, her highness minded not to compel any her said subjects thereunto, until such time as further order, by common assent, may be taken therein; forbidding nevertheless all her subjects of all degrees, at their perils, to move seditions, or stir unquietness in her people, by interrupting the laws of this realm after their brains and fancies, but quietly to continue for the same, till (as before is said) further order may be taken; and therefore willeth and straightly chargeth and commandeth all her good loving subjects to live together in quiet sort, and christian charity, leaving those new found devilish terms of papist and heretick, and such like, and applying their whole care, study, and travel to live in the fear of God, exercising their conversations in such charitable and godly doings, as their lives may indeed express the great hunger and thirst of God's glory, which by rash talk and words many have pretended; and in so doing they shall best please God and live without danger of the laws, and maintain the tranquillity of the realm: whereof as her highness shall be most glad, so if any man shall rashly presume to make any assemblies of people, or at any publick assemblies, or otherwise shall go about to stir the people to disorder, or disquiet, she mindeth according to her duty to

see the same most severely reformed and punished, according to her majesty's laws

And furthermore, forasmuch as it is well known, that seditions and false rumours have been nourished and maintained in this realm by the subtlety and malice of some evil disposed persons, which take upon them without sufficient authority, to preach and interpret the word of God after their own brains in churches and other places, both publick and private, and also by playing of interludes, and printing of false fond books and ballads, rhimes and other lewd treatises in the English tongue, containing doctrine in matters now in question and controversies, touching the high points and mysteries in christian religion, which books, ballads, rhimes, and treatises are chiefly by the printers and stationers set out to sale to her grace's subjects, of an evil zeal for lucre and covetousness of vile gain; her highness therefore straightly chargeth and commandeth all and every of her said subjects of whatsoever state, condition, or degree they be, that none of them presume from henceforth to preach, or by way of reading in churches and other publick or private places, except in schools of the university, to interpret or teach any scriptures, or any manner of points of doctrine, concerning religion; neither also to print any book, matter, ballad, rhyme, interlude, process or treatise, nor to play any interlude, except they have her graces special license in writing for the same, upon pain to incur her highness indignation and displeasure. And her highness also further chargeth and commandeth all and every her said subjects, that none of them of their own private authority do presume to punish or to rise against any offender in the causes abovesaid, or any other offender in words and deeds in the late rebellion committed or done by the duke of Northumberland or his complices, or to seize any of their goods, or violently to use any such offender by striking, or imprisoning, or threatening the same; but wholly to reserve the punishment of all such offenders unto her highness, and publick authority, whereof her majesty mindeth to see due punishment according to the order of her highness laws. Nevertheless, as her highness mindeth not hereby to restrain and discourage any of her loving subjects to give from time to time true information against any such offenders in the causes abovesaid unto her grace or her council, for the punishment of every such offender, according to the effect of her highness

ness laws provided in that part; so her said highness exhorteth, and straightly chargeth her said subjects to observe her commandment and pleasure in every part aforesaid, as they will avoid her highness said indignation, and most grievous displeasure. The severity and rigor whereof, as her highness shall be most sorry to have cause to put the same in execution, so doth she utterly determine not to permit such unlawful and rebellious doings of her subjects, whereof may ensue the danger of her royal estate, to remain unpunished; but to see her said laws touching these points to be thoroughly executed; which extremities she trusteth all her said loving subjects will foresee, dread and avoid: accordingly her said highness straightly

charging and commanding all mayors, sheriffs, justices of peace, bailiffs, constables, and all other publick officers and ministers, diligently to see to the observing and executing of her said commandments and pleasure, and to apprehend all such as shall willingly offend in this part, committing the same to the next goal, there to remain without bail or mainprize, till upon certificate made to her highness, or her privy council of their names and doings, and upon examination had of their offences, some further order shall be taken for their punishment to the example of others, according to the effect and tenor of the laws aforesaid. Given at our manor of Richmond the 18th day of August, in the first year of our most prosperous reign.

Papae Rom.
JULII III. 4.

Archiepisc. Cant.
THO. CRANMER. 21.

Anno Christi
1553.

Reg. Angliae
MARIAE I.

Bulla legationis de latere cardinalis Poli. Ex reg. Pole. fol. 4. b.

JULIUS episcopus, servus servorum Dei dilecto filio Reginaldo sanctae Mariae in Cosmedin diacono cardinali, Polo nuncupato, ad charissimam in Christo filiam nostram Mariam Angliae reginam illustrem, et universum Angliae regnum nostro et apostolicae sedis legato de latere salutem et apostolicam benedictionem. Si ullo unquam tempore licuit, nunc certe expositissime licet dicere, dextra Domini fecit virtutem. Hanc inquam laetissimam vocem licet omnium piorum gaudiis atque acclamatione celebrare. Quid enim aliud dicamus, quam dextram Domini hanc tam inopinatum rerum conversionem fecisse, ut florentissimum Angliae regnum ab Henrico octavo in discidium ab ecclesia catholica secessionemque seductum, ac deinde Edwardi ejus nati successione in paterno et haereditario errore corroboratum atque firmatum, in eum nunc statum repente devenerit, ut ad sanctum ovile atque ad ecclesiae catholicae septa revocari facillime posse videatur? Profecto hoc nihil aliud est quam mutatio dextrae excelsi. Defuncto enim vita supradicto Edwardo, adnissisque illius sectatoribus, qui rerum habenas, qui arces, qui exercitum, qui classem obtinebant, regnum alicui ex sua secta deferre, exclusa legitima haerede, clarissima in Christo filia Maria Angliae regina illustri, tunc principe, praefati Henrici regis nata, quae semper in catholicae fidei unitate permanfit, atque, ut eis videbatur, voto jam potitis, ecce ille Dominator Dominus et terribilis, qui aufert spiritum principum, cuncta iniquorum commenta dejecit, et repentina animorum totius regni inclinatione atque motu, ea quam ipsi constituerant regia potestate dejecta, ut ipsa Maria una omnium voce regina salutaretur, effecit. Gratia Domino Deo nostro, qui non obliviscitur suos; qui et huic illustri foeminae praemium fidei suae, invictaeque constantiae paternum regnum, quod jam humanitus amiserat, divinitus detulit; et hanc non parvam gregis sui partem a recta semita jampridem abactam, et pro deserta dispersam, respicere dignatus est; quam et non dubitamus,

eodem divino favore perseverante, postquam catholicam principem nacta est, etiam ipsam in catholicae fidei viam facile conversam iri, et communioni ecclesiae restitutam. Cui quidem spei sanctaeque fiducia, quam habemus in Domino, nos pro pastoralis (quae nobis est ab illo commissa) universalis ecclesiae cura, et pro ea charitate, quam erga Anglicam gentem proprie debemus affici, tanquam hujus sanctae sedis, cui sine meritis ullis nostris, sed sola summi Dei providentia praesidemus, peculiarem filiam, procurata olim ab ipsa sede divini illic verbi disseminatione generatam, deesse nec volumus nec debemus. Cum igitur super hujusmodi tractanda re, negotioque divina ope conficiendo, et potissimum, cui hanc provinciam demandare possemus, assiduos nostrae mentis cogitatus effunderemus, tu semper nobis, non sane primus, sed solus omnium occurristi, quem omnino praeter ceteris huic curae praeficere debemus. Unde habita super hiis cum venerabilibus fratribus nostris sanctae Romanae ecclesiae cardinalibus deliberatione matura, de illorum unanimi assensu et consensu, te ad eandem reginam Mariam, et universum Angliae regnum nostrum et apostolicae sedis legatum delegimus. Sive enim nos natalis terrae tuae, et civium charitatem, quae in te summa esse debet, et certe est, seu linguae ejus gentis et morum sensuumque notitiam; sive ob deductum a sanguine regio genus auctoritatem et gratiam, seu singularem in omni genere prudentiam atque eloquentiam, seu, quod caput est, flagrantissimum tuum erga Deum et Dominum nostrum Jesum Christum, ejusque sanctam ecclesiam catholicam amorem atque observantiam, multis jam in rebus cognitam atque perspectam spectaremus; personam tuam, quam hiis, quas modo commemoravimus, et pluribus aliis virtutibus omnium munerum largitor altissimus exornavit, ad hanc legationem aptissimam judicavimus. Quamobrem circumspeditioni vestrae per praesentes literas mandamus, ut munus istud pro eadem tua erga Deum pietate, erga nos et sanctam hanc sedem reverentia, erga christianam rempublicam

publicam studio atque amore suscipiens, id pro tua fide, diligentia, dexteritate exaequare; nihilque praetermittas, quo minus, Deo bene juvante, optatum legationis fructum assequare, in errorem lapsos consolando, atque in Dei gratiam et suae sanctae catholicae ecclesiae communionem restituendo; cujus rei maxime sci-

licet in ipsius Dei clementia, secundum Deum autem cum in studio, prudentia et virtute tua, tum ipsius Mariae reginae in Deum pietate, sapientia et devotione spem ponimus. Dat. Romae apud sanctam Mariam anno incarnationis dominicae 1553. non. Augusti pontificatus nostri anno IV.

Papae Rom.
JULII III. 4.

Archiepisc. Cant.
THO. CRANMER. 22.

Anno Christii
1553.

Reg. Angliae
MARIAE I.

Convocatio provinciae Cantuariensis.

Ex reg. Cranmer. fol. 14. et regist. convoc.

CONVOCATIO provinciae Cantuariensis, ii. die Martii per breve regium summonita, primo die Aprilis per aliud dissolvebatur. Eadem convocabatur ad xix. diem Septembris per breve regium dat. xix. Junii. Antequam autem dies ille illucesceret, rege Edwardo sexto mortuo, regina Maria breve regium archiepiscopo Cant. more solito directum dat. IV. Augusti emisit ad convocandum praelatos et clerum provinciae Cant. in ecclesia S. Pauli London. vi. die Octobris prox. In primo hujus convocationis die post electionem Hugonis Weston, in prolocutorem episcopus London. praeses eam continuavit ad diem Veneris seq. Octob. 13. et ab hoc in alium, sc. Octob. 20. quo die exhibitae sunt duae propositiones disputandae (de reali praesentia Christi in sacramento altaris, et de transubstantiatione) et libellus inscriptus "Catechismus" in ultima synodo promulgatus, reprobatus fuit. Quibus articulis subscripserunt omnes praeter Walterum Phillips, decanum Roff, Ja. Haddon, Joh. Philpot, Rich. Chenye et

Joh. Elmer; qui ad diem Lunae audiendis disputationibus assignatum opposcentes erant, et magistri Moreman, Chedsye, Glyn, Watson, Feknam, Morgan, Phillip et Harpsfelde respondentes. Horum disputantium vices prolocutor de triduo in triduum mutari voluit, sed opposcentes primum electi respondentium partes suscipere expresse recusarunt; ideo penultimo die Octobris mag. Philpot propter ignorantiam, arrogantiam, insolentiam ac pertinacitatem ad disputand. non est ulterius admissus nisi in causis civilibus; et cessantibus disputationibus, opposcentes supra nominati fidem et opinionem suam de sacramento altaris declarare sunt requisiti. Hujus etiam diei actis affuitur catalogus omnium de clero qui "Catechismus" sub Edw. vi. editum reprobaverunt. Et postquam die 27. Octobris de quibusdam articulis in synodo tractatum, et convocatio iterum iterumque prorogata fuisset, 13. die Dec. breve a regina ad dissolvendam convocationem introducebatur.

Convocatio provinciae Eboracensis.

IN provincia Ebor. breve reginae dat. apud Richmond xiv. die Augusti synodum convocabat sexto die Octobris apud ecclesiam metropolitancam S. Petri Ebor. Quid autem in hac synodo tractatum fuerit, lacuna registri archiepiscopi Eboracensis nobis eripuit. In registro tamen dec. et capit. Ebor. fol. 653. seqq. legitur, post receptas literas et articulos reginae (quorum supra fit mentio) decanum et capitulum ecclesiae Ebor. mandatum publicasse citatorium omnibus ecclesiae suae membris dire-

ctum (in quo sedem Ebor. vacantem declarant) ad comparendum in domo capitulari die 12. Martii. Mandatum datum est 9. die Martii 1553. Causa conventus eorum a 27. die Aprilis, 1554. usque ad 20. Decembris sequ. (uti registrum nos edocet) fuit, ut a Romana ecclesia alienos beneficiis spoliarent; quorum 51. ibi enarrantur, inter quos fuerunt Ampleforth, Frydaythorp, Ulleskelf, et Bilton, canonici ejus ecclesiae. Reg. fol. 656. seqq.

A letter with articles sent from the Queen's Majesty unto the bishop of London, and by him and his officers at her gracious commandment to be in speedy execution with effect, in the whole diocese, as well in places exempt as not exempt whatsoever, according to the tenour and form of the same. Ex Burnett. hist. reform. vol. II. append. pag. 252.

Sent by the queen's majesty's commandment in the month of March, anno Domini 1553.

By the queen.

RIGHT reverend father in God, right trusty and well beloved, we greet you well. And whereas heretofore in the time of the late reign of our most dearest brother king Edward VI.

(whose soul God pardon) divers notable crimes, excesses and faults with divers kinds of heresies, simony, advoutry, and other enormities, have been committed within this our realm and o-

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ther dominions; the same continuing yet hitherto in like disorder since the beginning of our reign without any correction or reformation at all, and the people both of the laity and clergy, and chiefly of the clergy, have been given to much insolence and ungodliness, greatly to the displeasure of almighty God, and very much to our regret and evil contentation, and to the slander of other christian realms, and in a manner to the subversion and clear defacing of this our realm. And remembering our duty to almighty God to be to foresee, as much as in us may be, that all virtue and godly living should be embraced, flourish and increase, and therewith also that all vice and ungodly behaviour should be utterly banished, and put away, or at the least wise so nigh, as might be so bridled and kept under, that godliness and honesty might have the overhand; understanding by very credible report, and publick fame, to our no small heaviness and discomfort, that within your diocese, as well in not exempted, as in exempted places the like disorder and evil behaviour hath been done and used, like also to continue and increase, unless due provision be had and made to reform the same (which earnestly in very deed we do mind and intend) to the utmost all the ways we can possible, trusting in God's furtherance and help in that behalf: for these causes, and other most just considerations us moving, we send unto you such certain articles of such special matter, as among other things be most special and necessary to be now put in execution by you and your officers, extending to them by us desired, and the reformation aforesaid; wherein ye shall be charged with our special commandments by these our letters, to the intent you and your officers may the more earnestly and boldly proceed thereunto, without fear of any presumption to be noted on your part, or danger to be incurred of any such our laws, as by your doings of that is in the said articles contained, might any wise grieve you, whatsoever be threatened in any such case; and therefore we straitly charge and command you, and your said officers, to proceed to the execution of the said articles without all tract and delay, as ye will answer to the contrary. Given under our hand at our palace of Westminster the fourth day of March, the first year of our reign.

ARTICLES.

1. That every bishop and his officers, with all other having ecclesiastical jurisdiction, shall with all speed and diligence, and all manners and ways to them possible, put in execution all such canons and ecclesiastical laws heretofore in the time of king Henry VIII. used within this realm of England, and the dominions of the same, not being direct and expressly contrary to the laws and statutes of this realm.

2. Item, That no bishop, or any his officers, or other person aforesaid, hereafter in any of

these ecclesiastical writings in process, or other extrajudicial acts do use to put in this clause or sentence: "Regia auctoritate fulcitus."

3. Item, That no bishop, or any his officers, or other person aforesaid, do hereafter exact or demand in the admission of any person to any ecclesiastical promotion, orders, or office, any oath touching the primacy or succession, as of late in few years passed hath been accustomed and used.

4. Item, That every bishop, and his officers, with all other persons aforesaid, have a vigilant eye, and use special diligence and foresight, that no person be admitted or received to any ecclesiastical function, benefit, or office, being a sacramentary, infected or defamed with any notable kind of heresy, or other great crime. And that the said bishop do stay, and cause to be stayed, as much as lieth in him, that benefices and ecclesiastical promotions do not notably decay, or take hindrance, by passing or confirming of unreasonable leases.

5. Item, That every bishop, and all other persons aforesaid, do diligently travel for the repressing of heresies, and notable crimes, especially in the clergy, duly correcting and punishing the same.

6. Item, That every bishop, and all other persons aforesaid, do likewise travel for the condemning and repressing of corrupt and naughty opinions, unlawful books, ballads, and other pernicious, and hurtful devises, engendering hatred among the people, and discord among the same; and that schoolmasters, preachers, and teachers, do exercise and use their offices and duties without teaching, preaching, or setting forth any evil corrupt doctrine, and that doing the contrary, they may be by the bishop and his said officers punished and removed.

7. Item, That every bishop, and all the other persons aforesaid, proceeding summarily, and with all celerity and speed, may, and shall deprive, or declare deprived, and amove according to their learning and discretion all such persons from their benefices and ecclesiastical promotions, who, contrary to the state of their order, and the laudable custom of the church, have married and used women as their wives, or otherwise notably and slanderously disordered or abused themselves; sequestering also, during the said process, the fruits and profits of the said benefices and ecclesiastical promotions.

8. Item, That the said bishop, and all other persons aforesaid, do use more lenity and clemency with such as have married, whose wives be dead, than with others, whose women do yet remain in life; and likewise such priests as with the consents of their wives, or women openly in the presence of the bishop, do profess to abstain, to be used the more favourably: in which case after penance effectually done, the bishop according to his discretion and wisdom may upon just consideration receive and admit them again to their former

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administration, so it be not in the same place; appointing them such a portion to live upon, to be paid out of their benefice, whereof they be deprived, by discretion of the said bishop, or his officers, shall think may be spared of the said benefice.

9. Item, That every bishop, and all persons aforesaid, do foresee, that they suffer not any religious man, having solemnly profess'd chastity, to continue with his woman or wife; but that all such persons after deprivation of their benefice, or ecclesiastical promotion be also divorced every one from his said woman, and due punishment otherwise taken for the offence therein.

10. Item, That every bishop, and all other persons aforesaid, do take order and direction, with the parishioners of every benefice, where priests do want, to repair to the next parish for divine service; or to appoint for a convenient time, till other better provision may be made, one curate to serve "alternis vicibus" in divers parishes, and to allot to the said curate for his labour some portion of the benefice, that he so serveth.

11. Item, That all, and all manner of processions of the church be used, frequented, and continued after the old order of the church in the Latin tongue.

12. Item, That all such holy days, and fasting-days be observed and kept, as was observed and kept in the late time of king Henry VIII.

13. Item, That the laudable and honest ceremonies, which were wont to be used, frequented, and observed in the church, be also hereafter frequented, used, and observed.

14. Item, That children be christened by the priest, and confirmed by the bishops, as heretofore hath been accustomed and used.

15. Item, Touching such persons as were heretofore promoted to any orders after the new sort and fashion of orders, considering they were not ordered in very deed, the bishop of the diocese finding otherwise sufficiency, and ability in those men, may supply that thing, which wanted in them before; and then according to his discretion admit them to minister.

16. Item, That by the bishop of the diocese an uniform doctrine be set forth by homilies, or otherwise for the good instruction and teaching of all people; and that the said bishop, and other persons aforesaid, do compel the parishioners to come to their several churches, and there devoutly to hear divine service, as of reason they ought.

17. Item, That they examine all school-masters and teachers of children, and finding them suspect in many ways, to remove them, and place catholic men in their rooms, with a special commandment to instruct their children, so as they be able to answer the priest at the mass, and so help the priest to mass, as hath been accustomed.

18. Item, That the said bishop, and all persons aforesaid, have such regard, respect and considerations of, and for the setting forth of the premises with all kind of virtue, godly living, and good example, with repressing also and keeping under of vice and unthriftiness, as they, and every each of them may be seen to favour the restitution of true religion; and also to make an honest account and reckoning of their office and cure to the honour of God, our good contentation, and the profit of this realm, and dominions of the same.

Eadem hae literae cum articulis custodibus spiritualitatis archiepiscopatus Eboracensis a regina missae sunt reg. dec. et cap. Ebor. fol. 651.

Papae Rom.
JULII III. 4.

Archiepisc. Cant.
THO. CRANMER. 22.

Anno Christi
1553.

Reg. Angliae
MARIAE I.

Mandatum episcopi London. omnibus Cantuar. provinciae ecclesiis de provisione eorum, quae ad cultum divinum et sacramentorum administrationem pertinent.
Ex Fox pr. edit. fol. 925.

EDMUNDUS, etc. universis, etc. Quia jure id exigente ac aequitate etiam suadente, parochiani ecclesiarum singularum Cantuariensis provinciae, quae necessaria aut opportuna sunt ad cultum divinum sacramentorum, ac sacramentalium administrationem, providere debite et congruenter tenentur, ac inter caetera, calicem, libros, vestimenta, vasa, ac alia ornamenta pro divinis obsequiis, et servitiis qualitercunque apta et requisita comparare; et insuper, quia parochiani ipsi pro animarum salute ad ecclesias suas accedere, missam, officiaque divina audire, confessionemque auricularem facere, ac venerandum eucharistiae sacramentum religiose et devote (praesertim temporibus ad id statutis et consuetis) suscipere simili modo ex ordinatione ecclesiae catholicae, et laudabili ejusdem consuetudine astringuntur; deinde, quia ex fide dignorum multorum relatione fida, factique no-

torietate, ac fama publica referente intelleximus, quod nonnulli parochiani nostrae Londinensis dioecesis Cantuariensisque provinciae praemissa, aut eorum aliqua sic providere, comparare, accedere, audire, facere et suscipere, vel omnino contemnunt, aut saltem plus aequo, et justo, differunt: nos volentes (prout ex officio debito tenemur) congruam in eisdem reformationem ac debitam provisionem adhibere, vobis conjunctim et divisim tenore praesentium committimus ac mandamus, quatenus receptis praesentibus, una cum schedula eisdem annexa, parochianos cujuscunque parochiae infra dioecesim nostram London. ubilibet in exemptis et non exemptis locis quibuscunque in praemissis, aut eorum aliquibus cessatores aut negligentes, vel culpabiles qualitercunque existentes, moneatis, quos etiam nos tenore praesentium primo, secundo, et tertio ac peremptorie monemus; quod parochi-

Mandatum episcopi LONDON. omnibus CANT. prov. ecclesiis. 91

parochiani omnes et singuli ad praemissa omnia et singula facienda et expedienda, quatenus eos quovismodo tangunt aut concernunt, cum adnexis, connexis, dependentibus, ac debitis circumstantiis, diligenter se praeparent, eaque faciant, ac fieri debite procurent ante festum Paschae proxime futurum, mora et culpa quibuscunque cessantibus. Porro si cessatores ipsi, ac negligentes, vel culpabiles aut remissi sic per vos moniti, illa aut eorum aliqua sic facere, aut perimplere non curaverint aut distulerint; tunc et in eum eventum eos omnes et singulos sic cessantes, negligentes, culpabiles vel remissos in hac parte auctoritate nostro citetis, seu citari faciatis peremptorie quod illi ac eorum quilibet coram nobis, seu nostro in spiritualibus vicario generali, aut commissario nostro quocunque in ecclesia nostra cathedrali divi Pauli London. loco

consistorii ibidem die Veneris (videlicet sexto die mensis Aprilis proxime futuro post datam praesentium) hora causarum consueta personaliter compareant et compareat, causam rationabilem et legitimam (si quam pro se habeant, aut habeat, quare ob eorum culpam et negligentiam huiusmodi excommunicari, aut aliter debite juxta juris exigentiam corrigi, et puniri non debeant et debeat) in juris forma dicturi, allegaturi, et proposituri, ulteriusque facturi, et recepturi, quod juris fuerit et rationis. Et quid in praemissis, etc. Nos autem dictum nostrum vicarium, etc. dictis die, hora et loco, una cum nominibus omnium et singulorum in ea parte monitorum et citatorum debite certificetis, una cum praesentibus. Datum Londini 8. die Martii A. D. secundum cursum, etc. 1553. et nostrae translationis anno decimo quinto,

Papae Rom.
JULII III. 5.

Archiepisc. Cant.
THO. CRANMER. 22.

Anno Christi
1553.

Reg. Angliae
MARIÆ I.

Bulla papae Julii III. potestatem concedens cardinali Polo Angliam ecclesiae Romanæ reuniendi. Impres. Londini 1685.

JULIUS papa III.

DILECTE fili noster, salutem et apostolicam benedictionem. Dudum cum charissima in Christo filia nostra Maria Angliae tunc princeps regina declarata fuisset, et speraretur regnum Angliae, quod saeva tyrannide ab unione sanctae ecclesiae catholicae separatum fuerat, ad ovile gregis Domini et ejusdem ecclesiae unionem, ipsa Maria primum regnante, redire posse; nos te, praestanti virtute, singulari pietate, ac multa doctrina insignem ad eandem Mariam reginam, et universum Angliae regnum de fratrum nostrorum consilio et unanimi consensu nostrum et apostolicae sedis legatum de latere destinavimus; tibi que inter caetera omnes et singulos utriusque sexus tam laicas quam ecclesiasticas seculares, et quorumvis ordinum regulares personas in quibusvis etiam sacris ordinibus constitutas cujuscunque status, gradus, conditionis et qualitatis extiterint; ac quacunque ecclesiastica etiam episcopali, archiepiscopali et patriarchali, aut mundana etiam marchionali, ducali, aut regia dignitate praefulgerent, etiam si capitulum, collegium, universitas, seu communitas forent, quarumcunque haeresium aut novarum sectarum professores, aut in eis culpabiles vel suspectas, ac credentes, receptatores et fautores eorum, etiam si relapsae fuissent, eorum errorem cognoscentes, et de illis dolentes, ac ad orthodoxam fidem recipi humiliter postulantes, cognita in eis vera et non ficta, aut simulata poenitentia, ab omnibus et singulis per eos perpetratis (haereses, et ab eadem fide apostasias, blasphemias et alios quoscunque errores, etiam sub generali sermone non venientes sapientibus) peccatis, criminibus, excessibus et delictis, nec non excommunicationum, suspensionum, interdictorum, et aliis ecclesiasticis ac temporalibus etiam corporis afflictivis, et capitalibus sententiis, censuris et poenis in eos praemissorum occasione a jure vel ab homine latis vel promulgatis, etiam si in eis viginti et plus annis inforduissent, et eo-

rum absolutio nobis et apostolicae sedi, et per literas in die coenae Domini legi consuetas reservata existeret, in utroque conscientiae videlicet, et contentioso foro, plenarie absolvendi et liberandi, ac aliorum Christi fidelium consortio aggregandi: necnon cum eis super irregularitate per eos praemissorum occasione, etiam quia sic ligati, missas, et alia divina officia etiam contra ritus et ceremonias ab ecclesia eatenus probatas et usitatas celebrassent, aut illis alias se miscuissent, contracta; necnon bigamia per eosdem ecclesiasticos, seculares vel regulares, vere aut ficta, seu alias qualitercunque incurta (etiam si ex eo quod clerici in sacris constituti cum viduis vel aliis corruptis matrimonium contraxissent praetenderetur) rejectis et expulsis tamen prius uxoribus, sic de facto copulatis: quodque bigamia et irregularitate, ac aliis praemissis non obstantibus in eorum ordinibus, dummodo ante eorum lapsum in haeresin huiusmodi rite et legitime promoti vel ordinati fuissent, etiam in altaris ministerio ministrare, ac quaecunque et qualitercunque etiam curata beneficia, secularia vel regularia ut prius, dummodo super eis alteri jus quaesitum non existeret, retinere; et non promoti ad omnes etiam sacros et presbyteratus ordines ab eorum ordinariis, si digni et idonei reperti fuissent, promoveri, ac beneficia ecclesiastica, si iis alias canonice conferentur, recipere et retinere valerent, dispensandi et indulgendi; ac omnem infamiae et inhabilitatis maculam, sive notam ex praemissis quomodolibet insurgentem, penitus et omnino abolendi, nec non ad pristinos honores, dignitates, famam et patriam, et bona etiam confiscata in pristinumque, et eum, in quo ante praemissa quomodolibet erant, statum restituendi, reponendi, et reintegrandi; ac eis, dummodo corde contriti, eorum errata et excessus alicui per eos eligendo catholico confessori, sacramentaliter confiterentur, ac poenitentiam salutarem eis per i-

psum

psium confessorum propterea injungendam omnino adimplerent, omnem publicam confessionem, abjuramentum, renuntiationem et poenitentiam jure debitam, arbitrio suo moderandi vel in totum remittendi. Necnon communitates et universitates, ac singulares personas quascunque, a quibusvis illicitis pactibus, et conventionibus per eos cum dominis aberrantibus, seu in eorum favorem quomodolibet initis, et iis praestitis juramentis et homagiis, illorumque omnium observatione, et si quem eatenus occasione eorum incurrisset perjurii reatum, etiam absolvendi et juramenta ipsa relaxandi. Ac quoscunque regulares et religiosos etiam in haeresin hujusmodi, ut praefertur, lapsos, extra eorum regularia loca absque dictae sedis licentia vagantes, ab apostasiae reatu et excommunicationis, aliisque censuris ac poenis ecclesiasticis, per eos propterea etiam juxta suorum ordinum instituta incurris, pariter absolvendi: ac cum eis ut alicui beneficio ecclesiastico curato de illud obtinentis consensu, etiam in habitu clerici secularis, habitum suum regularem sub honesta toga presbyteri secularis deferendo, deservire, et extra eadem regularia loca remanere libere et licite possint, dispensandi. Necnon quibusvis personis etiam ecclesiasticis ut quadragesimalibus et aliis anni temporibus et diebus, quibus usus ovorum et carniū est de jure prohibitus, butiro et caseo, et aliis lacticiis, ac dictis ovis et carniibus de utriusque seu alterius spiritualis, qui catholicus existeret, medici consilio, aut si locorum et personarum qualitate inspecta, ex defectu piscium aut olei, vel indispositione personarum earundem, seu alia causa legitima id tibi faciendum videretur, ut tuo arbitrio uti et vesci possint, indulgendi et concedendi. Necnon per te in praeteritis duntaxat casibus, aliquos clericos seculares, tantum presbyteros, diaconos aut subdiaconos, qui matrimonium cum aliquibus virginibus, vel corruptis secularibus, etiam mulieribus, de facto eatenus contraxissent, considerata aliqua ipsorum singulari qualitate, et cognita eorum vera ad Christi fidem conversione, ac aliis circumstantiis ac modificationibus tuo tantum arbitrio adhibendis, ex quibus aliis praesertim clericis in sacris ordinibus hujusmodi constitutis, quibus non licet uxores habere, scandalum omnino non generetur; citra tamen altaris ac alia sacerdotum ministeria, et titulos beneficiorum ecclesiasticorum, ac omni ipsorum ordinum exercitio sublato ab excommunicationis sententia, et aliis reatibus propterea incurris, injuncta inde eis etiam tuo arbitrio poenitentia saluari, absolvendi, ac cum eis dummodo alter eorum superstes remaneret, de caetero sine spe conjugii, quod inter se matrimonium legitime contrahere, et in eo postquam contractum foret, licite remanere possent, prolem exinde legitimam decernendo, misericorditer dispensandi; ac quaecunque beneficia ecclesiastica, tam secularia, quam regularia, et quae per rectores catholicos possidebantur, de ipsorum tamen rectorum catholicorum consensu, seu absque eorum praejudicio, cuicunque alteri beneficio ecclesiastico ob ejus fructus tenuitatem, aut hospitali jam erecto vel erigendo, seu stu-

dio universali vel scholis literariis, uniendi, annectendi, et incorporandi, aut fructus, redditus et proventus, seu bonorum beneficiorum dividendi, separandi et dismembrandi, ac eorum sic divisorum, separatorum et dismembratorum partem aliis beneficiis seu hospitalibus vel studiis aut scholis seu piis usibus similiter arbitrio tuo perpetuo applicandi et appropriandi. “Ac cum possessoribus bonorum ecclesiasticorum (restitutis prius, si tibi expedire videretur, immobilibus per eos indebite detentis) super fructibus male perceptis, ac bonis mobilibus consumptis, concordandi et transigendi ac eos desuper liberandi et quietandi:” ac quicquid concordis et transactionibus hujusmodi proveniret in ecclesia, cujus essent bona, vel in studiorum universalium at scholarum hujusmodi, seu alios pios usus convertendi, omniaque et singula alia, in quae in praemissis et circa ea quomodolibet necessaria et opportuna esse cognosceres, faciendi, dicendi, gerendi et exercendi; necnon catholicos locorum ordinarios, aut alias personas Deum timentes fide insignes, et literarum scientia praeditas, ac gravitate morum conspicuas et aetate veneranda, de quarum probitate et circumspectione ac charitatis zelo plena fiducia conspici posset, ad praemissa omnia cum simili vel limitata potestate (absolutione et dispensatione clericorum circa connubia, ac unione beneficiorum, seu eorum fructuum et bonorum separatione et applicatione ac concordia cum possessoribus bonorum ecclesiasticorum et eorum liberatorum duntaxat exceptis) substituendi et subdelegandi; ac diversas alias facultates per diversas alias nostras tam sub plumbo quam in forma brevis confectas literas, concessimus, prout in illis plenius continetur. Verum cum tu ad partes Flandriae, ex quibus brevissima ad regnum transfretatio existit, te contuleris, ac ex certis rationibus nobis notis inibi aliquamdiu subsistere habeas, ac a nonnullis nimium forsan scrupulosis haesitetur, an tu in partibus hujusmodi subsistens, praedictis ac aliis tibi concessis facultatibus uti, ac in eodem regno locorum ordinarios aut alias personas, ut praemittitur, qualificatas, quae facultatibus per te juxta dictarum literarum continentiam pro tempore concessis utantur, alias juxta earundem literarum tenorem substituere et delegare possis; nos causam tuae subsistentiae in eisdem partibus approbantes, et singularum literarum praedictarum tenores, praesentibus pro sufficienter expressis, ac de verbo ad verbum insertis, habentes, circumspectioni tuae quod quamdiu in eisdem partibus de licentia nostra moram traxeris, legatione tua praedicta durante, etiam extra ipsum regnum existens, omnibus et singulis praedictis et quibusvis aliis tibi concessis, et quae per praesentes tibi conceduntur, facultatibus, etiam erga quoscunque archiepiscopos, episcopos ac abbates, aliosque ecclesiarum tam secularium, quam quorumvis ordinum regularium, necnon monasteriorum et aliorum regularium locorum praelatos, non secus ac erga alios inferiores clericos, uti possis; necnon erga alias personas in singulis literis praedictis quovismodo nominatas, ad te pro tempore recurrentes vel mittentes,

tentes; etiam circa ordines, quos nunquam aut male susceperunt, et munus consecrationis, quod iis ab aliis episcopis vel archiepiscopis etiam haereticis et schismaticis, aut alias minus rite, et non servata forma ecclesiae consueti, impensum fuit, etiam si ordines et munus huiusmodi etiam circa altaris ministerium temere executi sint, per te ipsum, vel alios ad id a te pro tempore deputatos, libere uti; ac in eodem regno tot, quot tibi videbuntur locorum ordinarios vel alias personas, ut praemittitur, qualificatas, quae facultatibus per te eis pro tempore concessis (citra tamen eas quae solum tibi, ut praefertur, concessae existunt) etiam te in partibus Flandriae huiusmodi subsistente, libere utantur, et eas exerceant et exequantur, alias juxta ipsarum literarum continentiam ac tenorem substituere et subdelegare. Necnon de personis quorumcunque episcoporum vel archiepiscoporum, qui metropolitanam aut alias cathedrales ecclesias de manu laicorum etiam schismaticorum, et praesertim qui de Henrici regis et Edwardi ejus nati receperunt, et eorum regimini et administrationi se ingesserunt, et eorum fructus, redditus, et proventus etiam longissimo tempore tanquam veri archiepiscopi aut episcopi temere et de facto usurpando, etiam si in haeresin, ut praefertur, inciderint, seu antea haeretici fuerint, postquam per te unitati sanctae matris ecclesiae restituti extiterint, tuque eos rehabilitandos esse censueris, si tibi alias digni et idonei videbuntur, eisdem metropolitanis et aliis cathedralibus ecclesiis denuo, nec non quibuscumque aliis cathedralibus etiam metropolitanis ecclesiis per obitum vel privationem illarum praesulum, seu alias quovis modo pro tempore vacantibus, de personis ido-

neis, pro quibus ipsa Maria regina juxta consuetudines ipsius regni tibi supplicaverit, auctoritate nostra providere, ipsasque personas eisdem ecclesiis in episcopos aut archiepiscopos praeficere: ac cum iis qui ecclesias cathedrales et metropolitanas, de manu laicorum etiam schismaticorum, ut praefertur, receperunt, quod eisdem seu aliis ad quas eas alias rite transferri contigerit, cathedralibus etiam metropolitanis ecclesiis, in episcopos vel archiepiscopos praeesse, ipsasque ecclesias in spiritualibus et temporalibus regere et gubernare, ac munere consecrationis eis hactenus impenso uti; vel si illud eis nondum impensum extiterit, ab episcopis vel archiepiscopis catholicis per te nominandis suscipere libere et licite possint. Necnon cum quibuscumque per te, ut praemittitur, pro tempore absolutis et rehabilitatis, ut eorum erroribus et excessibus praeteritis, non obstantibus quibuscumque cathedralibus etiam metropolitanis ecclesiis, in episcopos et archiepiscopos praefici et praeesse, illasque in eisdem spiritualibus et temporalibus regere et gubernare; ac ad quoscumque etiam sacros et presbyteratus ordines promovere, et in illis aut per eos jam licet minus rite susceptis ordinibus etiam in altaris ministerio ministrare, nec non munus consecrationis suscipere et illo uti libere et licite valeant, dispensare etiam libere et licite possis, plenam et liberam apostolicam auctoritatem per praesentes concedimus facultatem et potestatem; non obstantibus constitutionibus et ordinationibus apostolicis, ac omnibus illis quae in singulis literis praeteritis voluimus non obstare, ceterisque contrariis quibuscumque. Datum Romae apud sanctum Petrum sub annulo piscatoris die 8. Martii 1554. pontificatus nostri anno 5.

Papae Rom.
JULII III. 5.

Archiepisc. Cant.
THO. CRANMER. 22.

Anno Christi
1553.

Reg. Angliae
MARIAE I.

Queen Mary's proclamation for the driving out of the realm strangers and foreigners.

THE queen our sovereign lady understanding, that a multitude of evil disposed persons, being born out of her highness dominions in other sundry nations, flying from the obeysance of the princes and rulers, under whom they be born, some for heresy, some for murder, treason, robbery, and some for other horrible crimes be resorted into this her majesty's realm, and here have made their demur, and yet be commorant and lingring, partly to eschew such condign punishment as their said horrible crimes deserve, and partly to dilate, plant, and sow the seeds of their malicious doctrine and lewd conversation among the good subjects of this her said realm, of purpose to infect her good subjects with the like, insomuch as (besides innumerable heresies, which divers of the same being hereticks have preached and taught within her highness said realm) it is assuredly known unto her majesty, that not only their secret practises have not failed to stir, comfort and aid divers her highness subjects to this most unnatural rebellion against God and her grace, but also some other of them desist not still to practise with her people estsoons to rebel; her

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majesty therefore having (as afore is said) knowledge and intelligence hereof, hath for remedy herein determined, and most streightly chargeth and commandeth, that all and every such person or persons born out of her highness dominions, now commorant or resiant within this realm, of whatsoever nation or country, being either preacher, printer, bookseller, or other artificer, of whatsoever calling else, not being denizen or merchant known, using the trade of merchandise, or servant to such ambassadors, as be liegers here from the princes and states joined in league with her grace, shall within 24 days after this proclamation avoid the realm, upon pain of most grievous punishment by imprisonment and forfeiture, and confiscation of all their goods and moveables; and also to be delivered unto their natural princes or rulers, against whose persons or laws they have offended. Giving to all mayors, sheriffs, bailiffs, constables, and all other her ministers, officers, and good subjects streightly also in charge, if they know any such person, not born in the queen's highness dominions (except before excepted) that shall after the time and days limited in this proclamation

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94 *Queen MARY's proclamation for driving out strangers.*

tarry within this realm, that they shall apprehend the same person or persons, and commit him or them to ward, there to remain without bail or mainprize, till her grace's pleasure or her councils, be signified unto them for the further ordering of the said person or persons.

And that if any of her said officers, after the said 24. days, apprehend, take, or know of any such, that they shall with diligence immediately certify her said council thereof, to th'intent order may forthwith be given for their punishment accordingly.

Papae Rom.
JULII III. 5.

Archiepisc. Cant.
THO. CRANMER. 22.

Anno Christi
1554.

Reg. Angliae
MARIAE I.

Convocatio praelatorum et cleri provinciae Cantuariensis. Ex reg. convoc. et reg.
London. Bonner. fol. 339.

SEDE archiepiscopali Cant. per attincturam (verba registri Bonner audis) et convictionem Thomae Cranmer, ultimia rchiepiscopi Cant. de alta prodicione sive crimine laesae majestatis convicti et condemnati, tunc vacante, convocatio per breve regium directum episcopis London. Cicestren. Hereforden. Bathon. et Wellen. Gloucestren. Lincoln. Meneven. et Roffen. tertio die Aprilis in ecclesia B. Mariae Oxon. summonita, per aliud breve ab Oxonia ad ecclesiam S. Pauli London. prorogata fuit. In hujus synodi primordiis omnia juxta consuetam formam, praesidente episcopo London. peracta sunt.

Quinto die Aprilis prolocutor Hugo Weston a praeside convocationis admittebatur; ibi etiam tractabatur de eligendis quibusdam de clero, qui totius vice cleri mitterentur Oxoniam, ad tractandum cum domino Cranmero, domino Ridleo, nuper praetenso episcopo London. et Hugone Latymer, olim episc. Wigorn. de quibusdam articulis religionem concernentibus. Et delecti sunt doctor Weston, Oglethorp, Chedseye, Seton, Cole, Jeffery, Fecknam, et Harpesfeld ad effectum praedictum. Et quia praedictus prolocutor non potuit adeste dictae convocationi, substituit N. Harpesfeld et Joh. Wimbleseye conjunctim et divisim in loco suo.

Vicesimo septimo ejusdem mensis (post diversas continuationes, in quibus nihil actum est memoratu dignum) post aliquales tractatus et colloquia de reformatione status cleri in convocatione habita, comparuerunt in domo capitulari S. Pauli London. prolocutor ac alii doctores, viz. theologiae professores et legum utriusque universitatis nuper ad universitatem Oxoniae destinati, et praesentaverunt processum super examinatione Thomae Cranmer, Nicolai Ridley, et Hugonis Latymer per eosdem doctores ex speciali commissione eis directa habit. et fact. sub sigillo universitatis Oxon. ac subscriptione notariorum publicorum una cum quibusdam aliis scriptis.

Die ultimo Aprilis in domo capitulari S. Pauli London. coram praeside synodi Edmundo, London. episcopo Walterus Phillips proposuit, quod cum in convocatione celebrata termino Michaelis ultimo in hoc loco, ipse cum paucis aliis disputabat contra realem Christi praesentiam in sacramento, et contra transubstantiationem, et etiam recusavit subscribere articulis propositis ibidem; jam habita apud sede liberatione, agno-

scit erratum suum, et profitetur se palam ex animo credere contenta in ipsis articulis; et ad majorem fidei suae manifestationem subscripsit et promisit se posthac praedicaturum apud eos, quos antea infecit. Et postea accersitus in domum superiorem, id ipsum coram praelatis et caeteris praesentibus professus est publice et spondit.

Quarto die mensis Maii in convocatione omnes de clero consenserunt, ut quaecunque substitutiones eorum nominibus factae firmae permanerent ad omnia expedienda in illa domo, ac si substituentes praesentes essent. Et statutum est, quod, quicumque hujus domus in futuro praesentes, possint seligere quoscunque eis placuerit ex universitatibus Oxon. et Cantabr. ad interessendum cum ipsis negotiis quibuscunque in hac domo expediendis. Hanc convocationem post varias prorogationes Edmundus, London. episcopus, praesidens 25. die mensis Maii ad diem Veneris prox. post festum S. Michaelis 5. diem mensis Octob. et in quemlibet diem interim contingentem prorogavit.

Aliam hujus anni convocationem breve regium decano et capitulo Cant. custodibus spiritualitatis, sede vacante, directum ad 13. Novembris summonuit in ecclesia S. Pauli London. ubi peractis sacris episcopus London. cum 19. confratribus episcopis et clero ad domum capitularem accessit; ibi lectae sunt literae commissionales domino London. a decano et capitulo Cant. directae, introductae per doctorem Harvey, vicarium generalem decani et capituli; postea clerus monitus est, ut eligeret sibi prolocutorem alia sessione praesentandum.

In secunda sessione episcopi London. literae aliis episcopis inscriptae ad praesidend. synodo perleguntur. In tertia Henricus Cole, archidiaconus Eliensis prolocutor electus, ab episcopo London. praesidente admittebatur. In quinta sessione (Decemb. 7.) post habitum tractatum de statu regni et ecclesiae Anglicanae conscribebatur protestatio quaedam episcoporum regi et reginae offerenda, cum gravi supplicatione, ut jurisdictiones suae sibi restituantur; et concordatum fuit, ut episcopus Winton. cancellarius regni, prolocutor, et sex alii praelati inferioris domus dominis regi et reginae vice totius synodi eam exhiberent. Deinde convocatio haec de die in diem continuata est in 26. Januarii ad capellam Henrici VII. infra ecclesiam collegiatam B. Petri Westm.

Papae Rom.
JULII. III. 5.

Archiepisc. Cant.
THO. CRANMER. 22.

Anno Christi
1554.

Reg. Angliae
MARIAE I.

Petition of the lower house of convocation to the bishops. Ex reg. Poli. fol. 5. a.

Right reverend fathers in God,

WE the clergy of the province of Cant. of the lower house do most humbly pray your good lordships, that touching the submission and order of the lands and possessions, which sum tyme did apperteyne to diverse bishops, cathedral churches, and to the late suppressed monasteries, priores, colleges, chantries, and free chappels, and other churches within this realme, and be now in the possession of the temporaltie. That yt may please your good lordships by your discrete wisdoms to foresee and provide, that by this our grante nothing pass, which may be prejudiciall or hurt full to any byshopp, or other ecclesiastical person, or their successors, for or concerning any action, right, title, or interest, which by the laws of this realm are already grown, or may hereafter growe or rise to them, or any of them, and their successors for any lands, tenements, pensions, portions, tithes, rents, reversions, fruits or other hereditaments, which summ tyme appertained to the said bishops or other ecclesiastical persons in the right of their churches or otherwise. But that the same right, title and interest be safe and reserved to them, and every of them and their successors according to the said lawes. And further, whereas in the statute passed in the first year of Edward the sixth, for the suppressing of all colledges, etc. proviso was made by the said statute in respect of the same surrender, that scholes and hospitalls should have ben erected and founded in divers partes of this realme, for the good education of yowth in vertue and lernynge, and the better sustentation of the poore. And that other works beneficiall for the common weale should have been executed, which hitherto be not performed, according to the meaning of the said statute; yt may please your good lordships to move the kings and queens most royal majestys, and the lord cardinall to have sum special consideration for the dewe performance of the premises: and that as well the same may the rather cum to pass, as the church of England, which heretofore hath ben honourably endowed with lands and possessions, may have some recovery of so notable damages and losses, which she hath susteyned; it may please their highness with th'assent of the lords and commons in this parliament assembled, and by authoritie of the same, to repeale, make frustrate, and voide the statute of mortmayne, made in the seventh yere of Edward the first, otherwise entituled the statute "De religiosis", and the statute concerning the same made the 15. year of king Richard the seconde; and all and every other statute or statutes at any time heretofore made concerning the same. And forasmuch as tithes and oblations have been at all tymes assigned and appointed for the sustentation of ecclesiastical ministers, and in confide-

ration of the same, their ministry and office, which as it cannot be executed by any lay person, so it is not meet, that any of them should perceive, possess, or enjoy the same; that all appropriations now being in th'ands of any lay person or persons, and appropriations made to any secular use, other than the maintenance of ecclesiastical ministers, universities, or scholes, may be by like authoritie of parliament dissolved, and the churches reduced to such state, as they were in before the same appropriations were made: and in this behalf we shall most humbly pray your good lordships to have in special consideration, how lately the lands and possessions of prebends in certain cathedral churches within this realme have been taken away from the same prebends to the use of certain private persons, and in the lieu thereof benefices of notable valewe appropriated to the cathedral churches, in which the said prebends were founded, to the no little decay of the said cathedral churches, and benefices, and the hospitalitie kept in the same. Further, right reverend fathers, we perceiving the godlie forwardness in your good lordships in the restitution of this noble church of England to her pristine state and unitie of Christ's church, which now of late years hath been grievously infected with heresies, perverse and schismaticall doctrine sowne abroad in this realme by evil preachers, to the great loss and danger of many soules; accompting ourselves to be called hither by your lordships out of all parts of the province of Cant. to treat with your lordships concerning as well the same, as of other things touching the state and quietness of the same church in doctrine and in manners, have for the furtherance of your godlie doings herein devised these articles following to be further considered and enlarged, as to your lordships wisdoms shall be thought expedient: wherein as we do earnestly think many things mete and necessary to be reformed; so we doubt not but your lordships having respect to God's glory, and to the good reformation of things amiss, will no less travail to bring the same to pass. And we for our parts shall be at all times ready to do every thing as by your lordships wisdoms shall be thought expedient.

First, We desire to be resolved, whether that all such, as have preached in any part within this realme, or other the kings and queens dominions any heretical, erroneous, or seditious doctrine, shall be called before the ordinaries of such places, where they now dwell, or be beneficed, and upon examination to be driven to recant openly such their doctrine in all places, where they have preached the same? And otherwise, whether any order shall be made, and

and presse to be made herein against them according to the canons and constitutions of the church in such case used?

2. That the pestilent book of Tho. Cranmer, late archbishop of Cant. made against the most blessed sacrament of the altar, and the schismatical book call'd "the communion book" and the booke of orderung of ecclesiastical ministers, all suspecte translations of the old and new testament, th'auctors whereof are recited in a statute made the --- year of king Henry VIII. and all other books, as well in Latin as in English, concerning any heretical, erroneous, or slanderous doctrine, may be destroyed and burned throughout this realm. And that publick commandment be geven in all places to every man having any such books, to bringe in the same to the ordinarie by a certein day, or otherwise to be taken and reputed as a favorer of suche doctrine; and that yt may be lawfull to everie bishop and other ordinarie to make inquiry and dew search from time to time for the said books, and to take them from the owners and possessors of them for the purpose above-said.

3. And for the better repreſs of all such pestilent books, that order may be taken with all ſpede, that no such books be printed, uttered, or sold within this realme, or brought from beyond the ſees, or other partes into the same, upon greivous paines to all such as shall presume to attempt the contrary.

4. And that the bishops, and other ordinaries may with better ſpede rote up all such pernicious doctrine and th'auctors thereof; we desire that the statutes made anno quinto of Richard II. anno secundo of Henry IV. and anno secundo of Henry V. against hereticks, Lollards, and false preachers, may be by your industrious ſewte revived, and put in force, as shall be thought convenient: and generally, that all bishops and other ecclesiastical ordinaries may be restored to their pristine jurisdiction against hereticks, schismaticks, and their fautors, in as large and ample manner, as they were in the first yere of king Henry VIII.

5. And that the premises may be the better executed by the presence of beneficed men in their cures, the statute made anno 21 Hen. VIII. concerning pluralities of benefices, and nonresidence of beneficed men, by reason whereof a larger liberty or licence is geven to a great multitude of priests and chapleyns to be absent from their benefices with cure, than was ever permitted by the canon laws, and all other statutes, touching the same may be repealed, voided and abolished; and that the bishops, and other ordinaries may call all beneficed men to be resident upon their cures, as before the making of that act they might have done.

6. Item, that the ordinaries do from tyme to tyme make proceſs for punishment of all simoniacall persons, of whom it is thought there were never so many within this realm; and

that not only the clerks, but also the patrones, and all the mediators of such patrones, may be punished; wherein we think good, that order were taken, that the patrones should lose their patronage, during their natural life, according to the ecclesiasticall constitutions of this realme.

7. Item, That the auntient libertie, authoritie, and jurisdiction be restored to the church of England, according to th'article of the great chartre call'd "Magna charta," at the least wise in such sort, as it was in the first yere of Henry VIII. And touching this article, we shall desire your lordships to be with us most humble tutors to the kings and queens majestys, and to my lord legate, for the remission of the importable burden of the first fruits, tenths, and subsidies. In which sute whatsoever advancements your lordships shall think good to be offered to their majestys for the same, we shall therein be always glad to do as shall be thought good.

8. Item, That no attachment of "premunire" be awarded against any bishop, or other ordinarie ecclesiastical from henceforth in any matter, but that a prohibition be first brought to the same; and that yt may please the kings and queens majestie to commande the temporal judges of this realme to explicate and declare playnly all and singuler articles of the "premunire" and to make a certain doctrine thereof.

9. Item, That the statutes of the provisors be not drawn by unjust interpretation out of their proper cases, nor from the proper sence of the words of the same statutes.

10. Item, That the statute of the submission of the clergie made anno 25. Henry VIII. and all other statutes made during the time of the late schisme, in derogation of the liberties and jurisdictions of the church, from the first yere of king Henry VIII. may be repealed, and the church restored "in integrum."

11. Item, That the statute made for finding of great horses by ecclesiastical persons may likewise be repealed.

12. Item, That userers may be punished by the canon lawes, as in tymes past has been used.

13. Item, That those which lay violent hands upon any priest, or other ecclesiastical minister being in orders, may be punished by the canon lawes, as in times past has been used.

14. Item, That all priests, deacons, and subdeacons, and all other having prebends, or other ecclesiastical provisions, or benefices, do from henceforth use such priestlye habite, as the qualitie of his state and benefice requireth.

15. Item, That married priests may be compellyd to forsake their women, whom they take as their wives.

16. Item, That an order be taken for the bringing up of yowth in good lernyng and vertue, and that the scholemasters of this realme may be catholick men, and all other to be removed, that are either sacramentaries, or hereticks, or otherwise notable criminous persons.

17. Deest.

18. Item,

18. Item, where the mayre of London, by force of a decree made anno Henry VIII. hath attributed to him the cognition of causes of tithes in London; that from henceforth the same cognition and jurisdiction may utterly cease, and be reduced immediately to the bishop of London, ordinary there.

19. Item, That tithes may henceforth be paid according to the canon lawes.

20. Item, That lands and places appropriated to monasteries, which, at the time of dissolution and suppression thereof, were exempt from payment of tithes, may be now allotted to certain parishes, and there chargeable to pay like tithes as other parishioners do.

21. Item, That there be a straight law made, whereby the reparations of chancels, which are notoriously decayed through the realme, may be dewly repaired from tyme to tyme, by such as by the lawe ought to do the same; and namely by such as be in the kings and queens hands. And that th'ordinaries may lawfully procede in causes of dilapidation, as well of them, as of all other parsonages, vicarages, and other ecclesiastical benefices and promotions.

22. Item, That order be taken for the more speedy payment of pensions to all priests pensioners, and that they might have the same without long suits or charges.

23. Item, That another order be taken for the payment of personal tithes in cities, and towns and elsewhere, as was used in anno 21 Henry VIII.

24. Item, That such priests as were lately married, and refuse to reconfite themselves to their order, and to be restored to administration, may have some especial animadversions, whereby as apostates they may be discerned from others.

25. Item, That religious women, which be married, may be divorced.

26. Item, That in divorces which are made from bedd and boord, provision may be made that the innocent woman may enjoy such lands and goods as were hers before the marriage, or that happned to come to her use at any time duringe the marriage. And that yt may not be lawfull for the husband, being for his offence divorced from the said woman, to entermeddle himself with the said lands or goods, unless his wife be to him reconciled.

27. Item, That wardeyns of churches and chappells may render their accompts before th'ordinaries, and may be by them compelled to do the same.

28. Item that all such ecclesiastical persons, as lately have spoyled cathedral, collegiate, and other churches of their own heads and temeritie, may be compelled to restore all and singular things, so by them taken away, or the trewe valewe thereof; and further to reedifie such things, as by them are destroyed and defaced.

“ Ut citra damnum et periculum jurium et statutorum hujus regni episcopi et eorum officarii possint cognoscere, procedere, decernere

et sententiam proferre in his articulis sequentibus.”

1. Ut episcopi possint cogere proprietarios et portionarios ecclesiarum ad omnes impensas ad onera sustinenda, quibus de jure vel aequo et bono obligantur; eo non obstante, quod decimae et portiones earum conversae sint in feudum laicum; et etiam aliis quibuscunque periculis, et impedimentis non obstantibus.

2. Ut liceat episcopo augere portiones et pensiones vicariorum pro eo atque opus videbitur; etiam si decimae, portiones, terrae, vel tementa a dictis ecclesiis exeuntia, conversa sint in feudum laicum, aut alio quovis modo ab ecclesia separata.

3. Cum multis in locis ecclesiastica ornamenta, aliaque ad divinum ministerium necessaria desiderantur; ut episcopi, et eorum officarii possint adigere parochianos ad symbolum in eam rem faciendum, et ut quisque parochianus impositam pecuniae summam cogatur pendere.

4. Ut parochiani possint cogi ad solvendum annum stipendium ecclesiae ministro (quem vulgo clericum vocant) pro eo atque ante schisma mos obtinuerat.

5. Ut episcopi et eorum officarii possint in judicio sistere, et ad restitutionem cogere eos, qui citra ullum justum titulum de jure hujus regni ipsis competentem, invaserunt, occuparunt, aut detinuerunt terras, praedia, aut alia quaecunque ecclesiae bona aut peculia.

6. Cum in locis sylvestribus, ob pecorum et frumenti inopiam maxima fructuum pars ex sylvis caeduis proveniat, ut parochiani pro antiquo more cogantur earum decimas solvere; non obstantibus hujus regni statutis.

7. Ut liceat eos ad jurisjurandi religionem adigere, de respondendo certis quibusdam positionibus, qui propter personales decimas in judicio conveniuntur.

8. Ut in ecclesiis Cath. nuper erectis et constitutis, hypocanonici, et alii ministri coelibes cogantur mensam habere communem.

9. Ut quae nuper sacerdotum uxores habitae sunt, his libera nubendi potestas promulgetur.

10. Ut rectores, vicarii, et ecclesiarum proprietarii ad certum numerum sacrarum concionum in ecclesiis habendarum adigantur.

11. Ut simonia, quae hodie mire in ecclesia grassatur, severe puniatur.

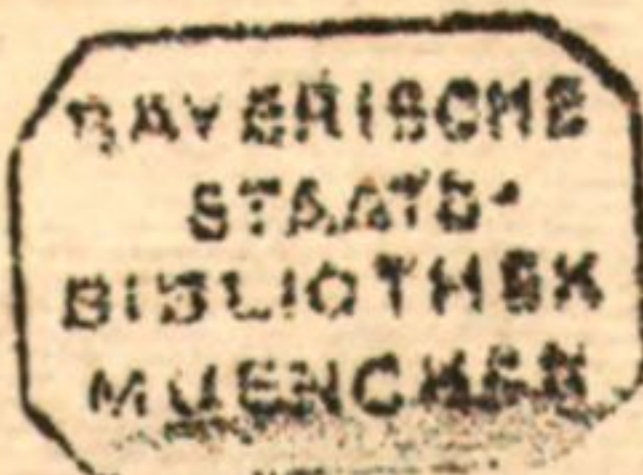
12. Ut pensiones a rectoribus olim monasteriis persolutae, in numerata pecunia, nunc itidem in pecunia numerata, et non in frugibus solvantur laicis proprietariis, ut hospitalitati sacerdotum consulatur.

13. Ne sacerdotes diversoria aut oenopolia adeant, nisi necessarii victus comparandi causa.

14. Ne rectores aut vicarii possint elocare sacerdotia citra consensum episcopi.

15. Ut minores parochias episcopi possint unire.

16. Ne posthac nundinae in celebrioribus festis aut dominicis diebus fieri permittantur, quo populus ad ecclesiam conveniat sine absentiae praetextu.



Papae Rom.
JULII III. 5.Archiepisc. Cant.
THO. CRANMER. 23.Anno Christi
1554.Reg. Angliae
MARIAE I.*The dispute appointed by convocation with Cranmer, Ridley and Latimer at Oxford.*
Strype's life of Cranmer, p. 334.

A CONVOCATION of the clergy now met in S. Pauls, but was adjourned, the prolocutor Dr. Weston, dean of Westminster, and some others of the members being sent to Oxon. (and it was generally thought the parliament would remove thither too) to dispute certain points of religion in controversy, with three of the heads of the protestant party; archbishop Cranmer, bishop Ridley and old father Latimer, now all prisoners; who for that purpose in the month of April were removed from the tower by the queen's warrant to the lieutenant, towards Windsor, and there taken into custody of Sir John (afterward lord) Williams, who conveyed them to Oxford, there to remain in order to a disputation. The convocation while they sat at London, agreed upon the questions to be disputed; and they resolved, that these three pious men should be bated by both the universities, and therefore that they of Cambridge should be excited to repair to Oxford, and engage in this disputation also. The questions are these.

I. "In sacramento altaris virtute verbi divini a sacerdote prolati, praesens est realiter, sub speciebus panis et vini, naturale corpus Christi conceptum de virgine Maria; item naturalis ejus sanguis."

An instrument of the university of Cambridge, appointing certain of their members to repair to Oxford, to dispute with Cranmer, Ridley and Latimer there.
Strype's life of Cranmer, app. p. 182.

Procuratorium academiae Cantabrigiensis.

UNIVERSIS Christi fidelibus praesentes litteras visuris, lectoris et auditoris, et quos infra scripta tangunt, seu quovis modo tangere poterunt, nos vicecancellarius senatusque tam regentium, quam non regentium almae academiae Cantabrigien. salutem et dilectionem in Christo Jesu. Cum jam pridem ex parte sacrae synodi, sive convocationis praelatorum et cleri Cant. provinciae, auctoritate et mandato serenissimae et religiosissimae dominae nostrae reginae Mariae convocatae, nobis in senatu nostro ad effectum infra scriptum infimul congregatis, exhibitum fuerint quidam articuli tenoris infra scripti, viz.

In sacramento altaris virtute verbi divini a sacerdote prolati, praesens est realiter, sub speciebus panis et vini, naturale corpus Christi conceptum de virgine Maria; item naturalis ejusdem sanguis.

Post consecrationem non remanet substantia panis et vini, neque alia ulla substantia, nisi substantia Christi, Dei et hominis.

In missa est vivificum ecclesiae sacrificium pro peccatis tam vivorum, quam mortuorum propitiabile.

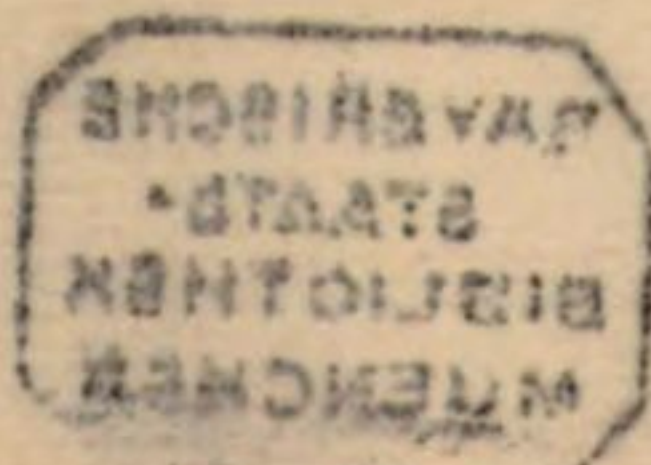
II. "Post consecrationem non remanet substantia panis et vini, neque alia ulla substantia, nisi substantia Christi, Dei et hominis."

III. "In missa est vivificum ecclesiae sacrificium pro peccatis tam vivorum, quam mortuorum propitiabile."

These questions the convocation sent to the university of Cambridge, requiring them seriously to weigh and deliberate upon them; and if they contain true doctrine, then to approve of them. Accordingly the senate of that university met, and after due deliberation found them agreeable in all things to the catholic church, and the scripture, and the ancient doctrine taught by the fathers; and so did confirm and ratify them in their said senate. And because Cranmer, Ridley and Latimer, the heads of the hereticks, that held contrary to these articles, were formerly members of their university, and being to be disputed withal at Oxford concerning these points; they decree in the name of all the university, to send seven of their learned doctors to Oxford, to take their parts in disputing with them, and to use all ways possible to reclaim them to the orthodox doctrine again. And accordingly the said senate, April 10, made a public instrument to authorize them in their names to go to Oxford and dispute. The instrument is as follows.

Simulque requisiti fuerimus, eosdem articulos matura deliberatione legere, expendere et considerare; et si sanam, veram et catholicam doctrinam contineant, eosdem approbare velimus: Nos in senatu nostro sic, ut praefertur, convenientes, perlectosque nobis articulos et contenta in eisdem, quanta decebat in re tam gravi, maturitate et deliberatione perpendentes et libantes, quandoquidem ipsos et contenta in iisdem cum catholica virtute et fide orthodoxa per omnia convenire animadvertimus, eosdem unanimi consensu nostro atque assensu, ut veros, catholicos, orthodoxos, ac veritati et doctrinae catholicae, ac aperto Dei verbo consentientibus, veterum orthodoxorum patrum testimoniis, generalium conciliorum auctoritatibus per omnia innitentes et congruentes, tam consentientibus animis comprobavimus, ut nostra plurimum interesse arbitrati simus, doctrinam articulorum hujusmodi contra omnes illius oppugnatores defendere et tueri.

Intelligentes itaque tam facti notorietate, quam famae publicae relatione, esse nonnullos perditionis



tionis et iniquitatis filios, seditiosos errorum innovatores, et ecclesiae Christi hostes, qui hujusmodi sacram, catholicam et orthodoxam doctrinam, ac ecclesiae unitatem modis omnibus perturbare, dilacerare, infestare, affligere et evertere satagunt, et conantur; quorum praecipui auctores et antesignani nominatim sunt, D. Thomas Cranmerus, nuper Cantuar. archiepiscopus, Nicolaus Ridleius, nuper Roffensis, et Hugo Latimer, jam olim Wigorn, episcopi, academiae nostrae Cantabrig. quondam alumni, modo apud inclytam universitatem Oxoniensem existentes; nostrarum partium esse duximus, non modo veritatem catholicam praedictam verbo et scriptis comprobare ac mundo palam facere, verum etiam eandem nedum contra eosdem principales adversarios, sed et contra omnes alios ecclesiae hostes, et veritatis Christi oppugnatores pro virili nostra, manifesto Dei verbo, sanctorumque patrum testimoniis defendere, tueri et propugnare. Ac proinde quo veritas magis elucescat, quosdam pios et eruditos viros ex eadem nostra universitate ad hoc muneris publico omnium nostrum nomine obeundum; viz. D. Johannem Young, vicecancellarium nostrum, Gulielmum Glyn, Richardum Atkinson, Cuthbertum Scot, Thomam Watson, Albanum Langdale, et Thomam Sedgwyke, theologiae professores, conjunctim et divisim selegimus, nominavimus et deputavimus; dantes et concedentes eisdem, prout et tenore praesentium sic damus et concedimus,

Papae Rom.
JULII III. 5.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1554.

Reg. Angliae
MARIAE 2.

Academiae Cantabrigiensis literae Oxoniensi eadem de materia missae. Ibid.

REVERENDIS in Christo viris D. vicecancellario Oxoniensi, et universis doctoribus illius academiae, atque magistris regentibus et non regentibus. Gravi nuper et turbulenta tempestate, sicut vos scitis et experti estis, reverendi in Christo fratres, ecclesiae nostrae horribiliter jactatae sunt. Tetra etenim seditiosi erroris et protervae atque obstinatae haereseos pestis ac lues omnes Angliae oras pergrassata, ipsas etiam academias corripuit atque gravissime et periculosissime infestavit. Christi pura et orthodoxa religio mendacibus sectariorum commentis, et proditiolis subinde pullulantium, falsarum doctrinarum monstris misere deformata et dilacerata jacuit. Jam tamen singulari numinis beneficio et D. nostri Jesu Christi, atque illius Sacri Spiritus afflatu serenior aura et placida atque amae-na amabilis concordiae tranquillitas affulgereoccoepit. Gratias proinde indefinenter agere debemus caelesti Patri, qui propter suam misericordiam ecclesiis nostris, magna persecutionis violentia afflictatis, optabilem et serenum statum restituerit. Qui per optimam et religiosissimam reginam religionis catholicae integritatem, quae corruptorum malitiosa improbitate pene extincta fuerat, restauravit; atque academiis nostris antiquam suam libertatem, quae nefandorum tyrannide opprimebatur, reddidit. Nostrarum vero partium esse ducimus tantam

conjunctim, ut praefertur, et divisim plenariam potestatem, auctoritatem et facultatem, vice et nominibus omnium nostrum, almam academiam Oxon. quibuscunque diebus eis visum fuerit, petendi et proficiscendi. Ac siquidem libera eis, pro more, auctoritate universitatis Oxon. in hac parte dabitur venia et facultas, cum dictis Dominis Cranmero, Ridleio, et Latimero, caeterisque ejusdem farinae monstris, palam et publice sive privatim congregiendi, hiisque de rebus differendi, disputandi, et argumentandi, sanamque doctrinam praedictam, contra eos patrocinandi et propugnandi; adversariosque praedictos et eorum perversas opiniones, et sententias, atque haeretica dogmata refellendi, refutandi et convincendi, eosque ad resipiscentiam modis omnibus, quibus poterint, hortandi, reducendi, et persuadendi; caeteraque omnia et singula faciendi, exercendi et expediendi, quo hujusmodi negotii qualitas et natura de se exigunt et requirunt; promittentes nos ratum, gratum et firmum perpetuo habituros totum id, et quicquid ab eisdem eruditis viris, nomine et vice nominis nostri in praemissis aut eorum aliquo actum aut gestum fuerit. In quorum omnium et singulorum fidem et testimonium praemissorum, has nostras commissionis et disputationis literas nostro communi sigillo communiri fecimus. Datum e senatu nostro Cant. decimo die mensis Aprilis, anno verbi incarnati supra millesimum quingentesimum quinquagesimo quarto.

et tam illustrem Dei erga nos beneficentiam agnoscere et confiteri; atque etiam eundem Deum et propitium nostrum Dominum affluens precibus interpellare, ut haec quae jam restaurata est religionis orthodoxa et pura integritas indies magis ac magis augeatur; atque ea quae jam conciliata est pax et concordia firmitus et solidius coalescat. Hoc enim est, quod vas electionis, et Christi apostolus Paulus hortatur, et admonet dicens: "Cum patientia supportate vos invicem, solliciti servare unitatem spiritus in vinculo pacis. Unum corpus, unus spiritus; sicut et vocati estis in una spe vocationis vestrae. Unus Dominus, una fides, unum baptisma, unus Deus et Pater omnium; qui est per omnia, et super omnia, et in omnibus vobis."

Nos proinde eandem spiritus unitatem cum catholica Christi ecclesia retinentes, articulos, de quibus postrema synodo Londoniensi inter ecclesiarum nostrarum proceres conveniebat, unanimi consensu comprobantes, atque veram, sanam et catholicam doctrinam iisdem exprimi et explicari agnoscetes, optamus lupos omnes, qui Christi ovile dissipare, et simplices oviculas seducere conantur, ab ecclesiae castris procul abarceri. Dilectos itaque nobis, et eruditos viros D. Jo. Young, vicecancellarium nostrum, D. Gulielmum Glyn, Richardum Atkinson,

kinson, Cuthbertum Scot, Thomam Watſon, Albanum Langdale, et Thomam Sedgwyke, theologiae profeſſores atque catholicae fidei et academiae noſtrae alumnos, ad vos legare deſtinavimus: non quod doctrinam articulorum in quaestionem et diſputationem vocent, quam nos, omni ambiguitate ſepoſita, veram et orthodoxam eſſe agnoſcimus; utpote quae et aperto Dei verbo et conſentientibus patrum teſtimoniis et generalium conciliorum auctoritate fulciatur et confirmata ſit; ſed ut noſtro omnium nomine ſanae doctrinae una vobiſcum patrocinentur, atque orthodoxam fidem propugnent, et eos qui eidem adverſantur, convincant, et haereticae atque perverſae ſententiae auctores reſellant et reſutant. Quales apud vos eſſe credimus Thomam Cranmerum, N. Ridley, et Hug. Latimerum, nuper epiſcopos et academiae noſtrae atque Chriſti eccleſiae filios obedientes; nunc vero, ſicut quidam referunt, quod nos dolentes ſcribimus, falſae et corruptae doctrinae contumaces patronos; quorum nos miſerandum ſtatum multum deploramus; mentem illis meliorem precantes, quo mutata ſententia per reſiſcentiam in matris eccleſiae finem ſimul ſeſe recipiant: Quam quiſquis non habuerit ſuam matrem, is Deum patrem habere non poterit. Ut ergo vos intelligeretis, quae noſtra eſſet hiſ de cauſis ſententia, pios et eruditos hos viros ad vos publica auctoritate noſtra mittimus, atque has literas communi noſtro ſigillo ſigillari fecimus. Chriſtus Jeſus vos veſtramque illuſtrem academiam pietate, et bonis literis florentem ad verae religionis augmentum, et corruptae errorum proſtigationem perpetuo conſervet. E. Senatu noſtro 10. Aprilis, 1554.

Veſtrum omnium in Chriſto amantiſſimi,
vicecancellarius et regent. et non regent.
ſenatus Cantabr.

And theſe letters were written by the univerſity of Cambridge, that this coming of the Cambridge divines to Oxford may ſeem a voluntary thing, to ſhew their zeal for popery, and vindication of their univerſity, againſt liking or approbation of Cranmer, and his two fellow priſoners. So roundly was the univerſity already come about to the old forſaken religion.

This Oxford diſputation was after this manner; Hugh Weſton, S. T. P. prolocutor of the lower houſe of convocation, Owin Oglethorp, John Seton, W. Chedſey, S. T. profeſſors, Hen. Cole, Will. Geffrey, L. L. profeſſors; William Pye, Joh. Fekenham, Joh. Harpsfield, S. T. baccalaurei, repreſenting the whole lower houſe of convocation, went down to Oxford. To them were joyned by commiſſion, the chancellor of the univerſity, the vicechancellor, the profeſſors and doctors, &c. as namely Holyman, Treſham, Ri. Marſhal, Morwent, Smith, S. T. profeſſors of Oxford; and John Young, William Glyn, R. Atkinſon, Tho. Watſon, Cuthbert Scot, Alban Langdale, Tho. Sedgwyke, S. T. profeſſors of Cambridge, in the name of the whole univerſity. All theſe being met at

S. Mary's, there was read the commiſſion to them, ſealed with the biſhop of London's ſeal, and the ſubſcription beſides of the biſhops of Winton, Durham, Wigorn, Chicheſter, Lincoln, Bath, Roſſ, Hereford, S. Davids, Gloceſter and Oxon. And with theſe letters were conveyed certain articles, which had been lately by the upper houſe reſolved upon; which articles were of the ſacrament of the altar, of tranſubſtantiation and of the adoration of the eucharift, and the reſervation of the ſacrament of the church, and of its inſtitution, and by whom, and for whom, and to whom it is to be offered. The contents of the letter were to ſummon before them Cranmer, Ridley and Latimer, and to propound thoſe articles to them to diſpute on publickly. The ſum of which, it ſeems, were contracted into the three queſtions aboveſaid. Then they provided themſelves three public notaries. Next, they celebrated and ſung the maſs of the Holy Ghoſt. Then they went a proceſſion according to the cuſtom of the univerſity. This formal pageantry being finiſhed, and the commiſſioners returned to S. Mary's, and being come into the choir, to the number of three and thirty, ſeated themſelves before the altar. And then ſent to the mayor and bailiffs to bring Dr. Cranmer before them by virtue of the queen's letter to them. Who within a while was brought guarded with billmen.

Coming before them, he gave them great reverence and ſtood with his ſtaff in his hand. They offered him a ſtool to ſit, but he reſuſed. Then Weſton the prolocutor began a ſpeech, wherein he commended unity in the church of Chriſt, and withal turning to the archbiſhop told him, how he had been a catholic man once, and in the ſame unity; but that he had ſeparated himſelf from it by teaching and ſetting forth erroneus doctrine, making every year a new faith. And therefore that it had pleaſed the queen to ſend them to him to recover him again, if it might be, to that unity. And then ſhewing him the articles to be diſputed on, cauſing them to be read to him and requiring his anſwer and opinion thereupon. Then the archbiſhop answered Extempore: That as for unity, he was very glad of, and ſaid that it was a preſerver of all commonwealths, as well heathens as chriſtians. And illuſtrated the matter by ſome ſtories out of the Roman hiſtory, and added that he ſhould be very glad to come to an unity, ſo it were in Chriſt, and according to the church of God. Then he read over the articles three or four times. And being asked, whether he would ſubſcribe to them, he anſwered: That in the form of words, in which they were conceived, they were all falſe and againſt God's word; and therefore that he would not agree in that unity with them. Nevertheleſs he ſaid, if they would give him a copy of the articles and time to conſider of them, he would by to morrow ſend them an anſwer. Which was granted him, the prolocutor bidding him write his mind of them that night. It was moreover agreed between

between them, that in whatsoever he dissenteth from them, they would proceed to public disputation thereupon in the public schools by scholastical arguments in Latin. And lastly they told him, he should have what books he would ask for. And so Weston gave the mayor charge of him, to be had to Bocardo, where he was before.

After Cranmer was carried back, the mayor and bailiffs brought bishop Ridley. And when the same articles were read to him, he said, that they were not true. But desired a copy of them, and he would draw up in writing his answer, and soon transmit it to them.

Papae Rom.
JULII III. 5.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1554.

Reg. Angliae
MARIAE I.

Episcoporum et cleri provinciae Cantuar. libellus Supplex regi et reginae exhibitus de obtinenda dispensatione a cardinali Polo, papae legato, de bonis ecclesiae.
Strype's mem. eccles. vol. III. append. p. 60. Habetur haec petitio Anglice in Heylin hist. reform. p. 213. ad annum.

Nos episcopi et clerus Cantuariensis provinciae in hac synodo more nostro solito, dum regni parliamentum celebratur, congregati, cum omni debita humilitate et reverentia exponimus majestatibus vestris; quod licet ecclesiarum, quibus in episcopos, decanos, archidiaconos, rectores, et vicarios praefecti sumus, et animarum, quae nobis et curae nostrae subjectae sunt, et earundem bonorum, jurisdictionum, et jurium, et sacrorum canonum dispositione defensores et curatores constituti sumus; et propterea ipsorum bona, jurisdictiones et jura in pernicioso hujus regni praeterito schismate deperdita et amissa, omni studio et totis nostris viribus recuperare, et ad pristinum ecclesiarum jus revocare, juris remediis niti deberemus: nihilominus tamen habito prius per nos super hac re maturo consilio et deliberatione, ingenue fatemur, nos optime cognoscere, quam haec bonorum ecclesiasticorum difficilis, et quasi impossibilis esset recuperatio, propter multiplices ac pene inextricabiles super hiis habitos contractus et dispositiones; et quod si ea tentaretur, quies et tranquillitas regni facile perturbaretur; et unitas ecclesiae catholicae, quae jam pietate et auctoritate majestatum vestrarum hoc in regno introducta est, cum maxima difficultate suum progressum et finem sortiri posset. Ideo nos bonum et quietem publicam privatis commoditatibus, et salutem tot animarum pretioso Christi sanguine redemptarum terrenis bonis anteponentes, et non quae nostra, sed quae Jesu Christi sunt quaerentes, majestates vestras enixe rogamus, iisque humiliter supplicamus, ut reverendissimo in Christo patri domino Reginaldo cardinali Polo, ad ipsas et universum hoc Angliae regnum, sanctissimi Domini nostri Domini Julii papae tertii, et apostolicae sedis de latere

And did offer to dispute, as Cranmer had done before.

Lastly, Latimer was brought, to whom the prolocutor said, as he had to the two former. Latimer confessed, that in the sacrament of the altar there was a certain presence, but not such a one as they would have. And he also promised to send them his answer shortly to these articles, requiring a copy. But by reason of his old age, his infirmities, and the weakness of his memory, he said, he could not bear a dispute. But that he could and would declare his mind of the said articles.

legato, haec nomine nostro insinuari, et apud eum intercedere dignentur, ut in hiis bonis ecclesiasticis, in parte vel in toto, arbitrio suo juxta facultates sibi ab eodem sanctissimo domino nostro papa concessas, eorundem bonorum detentoribus elargientes et relaxantes, publicum bonum privato, pacem et tranquillitatem diffidiis et perturbationibus, atque animarum salutem bonis terrenis praeferre et anteponeere velit. Nos enim in omnibus, quae ab ipso legato statuta et ordinata circa haec bona fuerint, exnunc prout extunc, et e contra, consensum nostrum praestamus; imo etiam, ut in praemissis se difficilem aut restrictum reddere non velit, majestates vestrae nostro nomine eum hortari et rogare dignabuntur.

Insuper majestatibus vestris supplicamus, pro sua pietate efficere dignentur, ut ea quae ad jurisdictionem nostram, et libertatem ecclesiasticam pertinent, sine quibus debitum nostri pastoralis officii, et curae animarum nobis commissae, exercere non possumus, nobis superiorum temporum injuria ablata, restituantur, et ea nobis et ecclesiae perpetuo illaesa et salva permaneant; et ut omnes leges, quae hanc nostram jurisdictionem et libertatem ecclesiasticam tollunt, seu quovis modo impediunt, abrogentur, ad honorem Dei, et majestatum vestrarum et universi hujus regni spirituale et temporale commodum et salutem; certam spem etiam habentes, majestates vestras pro sua singulari in ipsum Deum pietate, proque multis et insignibus ab ipsius Dei bonitate acceptis beneficiis necessitatibus et incommodis hujus sui regni ecclesiarum, maxime curam animarum habentium, nunquam defuturas esse, sed prout opus fuerit, consulturas atque provisuras.

Papae Rom.
JULII III. 5.Archiepisc. Cant.
THO. CRANMER. 23.Anno Christi
1554.Reg. Angliae
MARIAE I.

A letter written by the king and queen requiring the bishop of London to go on in the prosecution of the hereticks. Ex reg. Bonner. fol. 363. et Burnet. hist. reform. vol. II. append. p. 285.

Philip R. Mary the Queen.

RIGHT reverend father in God, right trusty and well beloved, we greet you well. And where of late we addressed our letters unto the justices of the peace within every of the counties of this our realm; whereby amongst other instructions given therein for the good order and quiet government of the country about, therein they are willed to have a special regard unto such disordered persons, as forgetting their duties towards almighty God, and us, do lean to any erroneous and heretical opinions, to shew themselves conformable to the catholic religion of Christ's church, whom, if they cannot by good admonition and fair means reform, they are willed to deliver unto the ordinary, to be by him charitably travelled withal, and removed (if it may be) from their naughty opinions; or else, if they continue obstinate, to be ordered according to the laws provided in that behalf: understanding now to our no little marvel, that divers of the said disordered persons, being by the justices of the peace for their contempt and obstinacy brought to the ordinaries to be used as is aforesaid, are either

refused to be received at their hands, or if they be received, are neither so travelled with, as christian charity requireth, nor yet proceeded withal according to the order of justice, but are suffered to continue in their errors to the dishonour of almighty God, and dangerous example of others; like as we find this matter very strange, so have we thought convenient, both to signify this our knowledge, and therewith also to admonish you to have in this behalf such regard henceforth to the office of a good pastor and bishop, as when any such offenders shall be by the said justices of peace brought unto you, ye do use your good wisdom and discretion in procuring to remove them from their errors if it may be, or else in proceeding against them (if they shall continue obstinate) according to the order of the laws; so as through your good furtherance both God's glory may be the better advanced, and the common wealth the more quietly governed. Given under our signet at our honour of Hamptoncourt the 24. of May, in the first and second years of our reigns.

Bulla Julii III. papae cardinali Polo dispensationem de bonis ecclesiasticis Angliae concedens. Impr. Lond. 1554.

JULIUS papa III.

DILECTE fili noster, salutem et apostolicam benedictionem. Superioribus mensibus oblata nobis spe per Dei misericordiam, et charissimae in Christo filiae nostrae Mariae, Angliae reginae, summam religionem et pietatem nobilissimi illius Angliae regni, quod jamdiu quorundam impietate, a reliquo catholicae ecclesiae corpore avulsum fuit, ad ejusdem catholicae et universalis ecclesiae unionem, extra quam nemini salus esse potest, reducendi; te ad praefatam Mariam reginam atque universum illud regnum, nostrum et apostolicae sedis legatum de latere, tanquam pacis et concordiae angelum de venerabilium fratrum nostrorum sanctae Romanae ecclesiae cardinalium consilio atque unanimi assensu destinavimus, illisque facultatibus omnibus munivimus, quas ad tanti negotii confectionem necessarias putavimus esse, seu quomodolibet opportunas. Atque inter alia circumspeditioni tuae, ut cum bonorum ecclesiasticorum possessoribus super fructibus male perceptis, et bonis mobilibus consumptis concordare et transigere, ac eos desuper liberare et quietare, ubi expedire posset, auctoritatem concessimus et facultatem, prout in nostris desuper confectis literis plenius continetur. Cum autem ex iis principiis, quae ejusdem Mariae sedulitate et diligentia, rectaque et constante in Deum mente, tuo et in ea re

cooperante studio atque consilio, praefatum reductionis opus in praedicto regno usque ad hanc diem habet, ejusdemque praeclari operis perfectio indies magis speretur, eoque faciliores progressus habitura res esse dignoscatur, quo nos majorem in bonorum ecclesiasticorum possessionibus in illa superiorum temporum confusione per illius provinciae homines occupatis, apostolicae benignitatis et indulgentiae spem ostenderimus. Nos nolentes tantam dilectissimae nobis in Christo nationis recuperationem, et tot animarum pretioso Jesu Christi domini nostri sanguine redemptarum salutem ullis terrenarum rerum respectibus impediri, more pii patris, in nostrorum et sanctae catholicae ecclesiae filiorum post longum periculosa peregrinationis tempus ad nos respectantium et redeuntium, peroptatum complexum occurrentes; tibi de cujus praestanti virtute, singulari pietate, doctrina, sapientia, ac in rebus gerendis prudentia et dexteritate plenam in Domino fiduciam habemus, cum quibuscunque bonorum ecclesiasticorum tam mobilium, quam immobilium in praefato regno possessoribus seu detentoribus, pro quibus ipsa serenissima regina Maria intercesserit, de bonis per eos indebite detentis, arbitrio tuo auctoritate nostra tractandi, concordandi, transigendi, componendi, et cum eis, ut praefata sine ullo

scru-

Bulla JULII III. papae card. POLO dispensat. de bonis ecclesiae. 103

scrupulo in posterum retinere possint, dispensandi, omniaque et singula alia quae in his et circa ea quomodolibet necessaria et opportuna fuerint, concludendi et faciendi (salvo tamen in his, in quibus propter rerum magnitudinem et gravitatem haec sancta sedes merito tibi videretur consulenda, nostro et praefatae sedis beneplacito et confirmatione) plenam et liberam apostolicam auctoritatem tenore praesentium et ex certa scientia concedimus facultatem. Non obstantibus literis felicis recordationis Pauli papae II. praedecessoris nostri de non alienandis bonis ecclesiasticis, nisi certa forma ser-

vata, et aliis quibuscumque apostolicis ac in provincialibus et synodalibus conciliis edictis generalibus vel specialibus constitutionibus et ordinationibus, necnon quarumvis ecclesiarum et monasteriorum ac aliorum regularium et piorum locorum juramento, confirmatione apostolica, vel quavis alia firmitate roboratis, fundationibus, statutis et consuetudinibus, illorum tenores pro sufficienter expressis habentes contrariis quibuscumque. Datum Romae apud S. Petrum sub annulo piscatoris die 28. Junii, 1554. pontificatus nostri anno quinto.

Papae Rom.
JULII III. 5.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1554.

Reg. Angliae
MARIAE I.

Officium consecrationis annulorum, qui Anglice CRAMP RINGS dicuntur. Ex MS. Smith apud Burnet. hist. reform. vol. II. append. p. 295.*

Preces a regina recitandae in consecratione annulorum.

“**D**EUS misereatur nostri, et benedicat nos. Deus illuminet vultum suum super nos, et misereatur nostri.

Ut cognoscamus in terra viam tuam, in omnibus gentibus salutare tuum.

Confiteantur tibi populi, Deus, confiteantur tibi populi omnes.

Laetentur et exultent gentes, quoniam iudicas populos in aequitate, et gentes in terra dirigis.

Confiteantur tibi populi, Deus, confiteantur tibi populi omnes. Terra dedit fructum suum. Benedicat nos Deus, Deus noster; benedicat nos Deus, et metuent eum omnes fines terrae. Gloria Patri, et Filio, et Spiritui Sancto; sicut erat in principio, et nunc, et semper, et in secula seculorum. Amen.

Omnipotens, sempiternus Deus, qui ad solatium humani generis varia ac multiplicia miseriarum nostrarum levamina uberrimis gratiae tuae donis ab inexhausto benignitatis tuae fonte manantibus incessanter tribuere dignatus es; et quos ad regalis sublimitatis fastigium extulisti, insignioribus gratiis ornatos, donorumque tuorum organa atque canales esse voluisti, ut sicut per te regnant, aliisque praesunt; ita te auctore, reliquis profint, et tua in populum beneficia conferant; preces nostras propitius respice; et quae tibi vota humillime fundimus, benignus admitte, ut quod a te majores nostri de tua misericordia sperantes obtinuerunt, id nobis etiam pari fiducia postulantibus concedere digneris; per Christum Dominum nostrum. Amen.”

Haec oratio super annulis in una vel pluribus patinis jacentibus dicatur.

“Deus caelestium terrestriumque conditor creaturarum, atque humani generis benignissime reparator, dator spiritualis gratiae, omniumque benedictionum largitor, immitte Spiritum San-

ctum tuum paracletum de caelis super hos annulos arte fabrilis confectos, eosque magna tua potentia ita emendare digneris, ut omni nequitia lividi venenosique serpentis procul expulsa, metallum a te bono conditore creatum, a cunctis inimici sordibus maneat immune; per Christum Dominum nostrum. Amen.

Benedictio annulorum.

Deus Abraham, Deus Isaac, Deus Jacob, exaudi misericors preces nostras, parce metuentibus, propitiare supplicibus, et mittere digneris sanctum angelum tuum de caelis, qui sanctificet ✠ et benedicat ✠ annulos istos, ut sint remedium salutare omnibus nomen tuum humiliter implorantibus, ac semetipsos pro conscientia delictorum suorum accusantibus, atque ante conspectum divinae clementiae tuae facinora sua deplorantibus; et serenissimam pietatem tuam humiliter obnixaeque flagitantibus; profint denique per invocationem sancti tui nominis omnibus istos gestantibus ad corporis et animae sanitatem; per Christum Dominum nostrum. Amen.

Benedictio.

Deus, qui in morbis curandis maxima semper potentiae tuae miracula declarasti, quique annulos in Juda patriarcha fidei arrabonem, in Aarone sacerdotale ornamentum, in Dario fidelis custodiae symbolum, et in hoc regno variorum morborum remedia esse voluisti, hos annulos propitius ✠ benedicere et ✠ sanctificare digneris, ut omnes qui eos gestabunt, sint immunes ab omnibus satanae insidiis, sint armati virtute caelestis defensionis; nec eos infestet vel nervorum contractio, vel comitialis morbi pericula, sed sentiant, te opitulante, in omni morborum genere levamen. In nomine Patris, ✠ et Filii, ✠ et Spiritus Sancti. ✠ Amen.

“Benedic, anima mea, Domino, et omnia, quae intra me sunt, nomini sancto ejus”.

* D. Becket chirurgus, in tractatu Anglico *Of the king's evil*, ceremoniam hanc annulos consecrandi ab Henrico VIII. et centenis ante eum annis a decessoribus ipsius, regibus Angliae, usitatum fuisse dicit. ^a Psalms ciii.

Et reliqua hujus psalmi.

“Immensam clementiam tuam, misericors Deus, humiliter imploramus, ut qua animi fiducia et fidei sinceritate ac certa mentis pietate ad haec impetranda accedimus, pari etiam devotione gratiae tuae symbola fideles prosequantur; faceat omnis superstitio, procul absit diabolicae fraudis suspicio, et in gloriam tui nominis omnia cedant, ut te largitorem bonorum omnium fideles tui intelligant, atque a te uno quicquid vel animis vel corporibus vero profit, profectum sentiant et profiteantur; per Christum Dominum nostrum. Amen”.

His precibus finitis, regina aunulos manibus suis confricat, dicens:

“Sanctifica, Domine, annulos istos, et rore tuae benedictionis benignus asperge, ac manuum nostrarum confricatione, quas olei sacri infusione externa sanctificare dignatus es, pro ministerii nostri modo consecra, ut quod natura metalli praestare non possit, gratiae tuae magnitudine efficiatur; per Christum Dominum nostrum. Amen”.

Deinde annuli aqua lustrali aspergantur; quo facto dicatur:

“In nomine Patris, et Filii, et Spiritus Sancti, Amen. Domine, fili Dei unigenite, Dei

et hominum mediator, Jesu Christe, in cujus unius nomine salus recte quaeritur, quique in te sperantibus facilem ad Patrem accessum conciliasti, quum quicquid in nomine tuo peteretur, id omne daturum, eum certissimo veritatis oraculo ab ore tuo sancto, quum inter homines versaris homo, pronunciasti; precibus nostris aures tuae pietatis accomoda, ut ad thronum gratiae in tua fiducia accedentes, quod in nomine tuo humiliter postulavimus, id a nobis, te mediante, impetratum fuisset, collatis per te beneficiis, fideles intelligant; qui vivis et regnas cum Deo Patre, in unitate Spiritus Sancti, Deus per omnia secula seculorum. Amen.

Vota nostra quaesumus, Domine, Spiritus Sanctus, qui a te procedit, aspirando praeveniat et prosequatur, ut quod ad salutem fidelium confidenter petimus, gratiae tuae dono efficaciter consequamur; per Christum Dominum nostrum. Amen.

Majestatem tuam, clementissime Deus, Pater, Filius, et Spiritus Sanctus, suppliciter exoramus, ut quod ad nominis tui sanctificationem piis his ceremoniis peragitur, ad corporis simul et animae tutelam valeat in terris, et ad uberiores felicitatis fructum proficiat in coelis, qui vivis et regnas Deus per omnia secula seculorum. Amen.

Papae Rom.
JULII III. 5.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1554.

Reg. Angliae
MARIAE 2.

The form of the restitution of a married priest. Strype's life of archb. Cranmer, append. numb. 75.

“DECIMO octavo die mensis Octobris, anno Domini 1554. In aedibus solitae residentiae magistri Anthonii Huse armigeri, in occidentali angulo vici nuncupati “Pater noster Row,” civitatis London. notorie situatis, coram venerabili viro magistro Henrico Harvey, LL. D. vicario in spiritualibus generali, &c. in praesentia mei Johannis Incent, notarii publici propter absentiam magistri Anthonii Huse, registrarii, etc. assumpti, etc. comparuit personaliter Robertus Vevian, presbyter nuper rector ecclesiae parochialis de Hever decanat. de Shoreham, ecclesiae Christi Cantuariensis jurisdictionis immediatae, ac quandam professionem in scriptis redactam et conceptam fecit, et publice legebat sub eo, qui sequitur, verborum tenore”.

Whereas I Robert Vevian clerk, late parson of Hever in the county of Kent, being of the peculiar jurisdiction of the church of Cant. being ordered a priest about 27 years past, having ministred as a priest in all kind of priestly function and ministration of sacraments and sacramentals, as to the office of a priest appertaineth, have sithence that time, contrary to the state of mine orders, decrees of the church, and laudable customs of the same, married one Agnes Stanton being a simple or solute woman, and with her in one house as man and wife have cohabited and dwelled, to the offence of my christian brethren, and breach of the unity of Christ's said church; I the said Robert do

now lament and bewail my life past, and the offence by me committed; intending firmly by God's grace, hereafter to lead a pure, chaste, and continent life, according to such grace, as almighty God of his mercy, upon my humble petition and prayer, shall grant me: and do here before my competent judge and ordinary most humbly reuire absolution of and from all such censures and pains of the laws, as by my said offence and ungodly behaviour I have incurred and deserved; promising firmly, and solemnly professing before you in this present writing, never to return to the said Agnes Stanton as to my wife or concubine, but from henceforth to abstain from her, and to keep myself sole, pure, and chaste from all carnal affections and copulations, especially from her, and also from all other women, according to the laws and constitutions of our mother the catholic church, and as my order also requireth. In witness of this mine advised and deliberate mind, promise, and profession, I have to the same in this writing subscribed my name with mine own hand. Given the 18th day of October, in the year of our Lord God 1554. etc.

“Per me Robertum Vevian”.

“Qua quidem professione per praenominatum Robertum Vevian publice lecta, et manu sua propria subscripta, ac praestito jura-
mento

mento, &c. de parendo juri, et stando mandatis ecclesiae, dominus ad humilem ejus petitionem absolvit eum a sententia excommunicationis, et aliis censuris et poenis juris per ipsum ex causis superius expressatis, incurfis, et eum

sacramentis ecclesiae ac officio suo presbyterali et integrae functioni ejusdem restituit et redintegavit, et decrevit sibi literas testimoniales, &c."

Papae Rom.
JULII III. 5.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1554.

Reg. Angliae
MARIAE 2.

Articles of visitation by bishop Bonner. Ex reg. Bonner et Burnet, hist. reform. vol. II. append. p. 260, &c.

ARTICLES to be inquired of in the general visitation of Edmund, bishop of London, exercised by him in the year of our Lord God 1554, in the city and diocese of London, and set forth by the same for his own discharge towards God and the world, to the honour of God, and his catholic church, and to the commodity and profit of all those, that either are good (which he would were all) or delight in goodness (which he wisheth to be many) without any particular grudge or displeasure to any one, good or bad, within this realm; which articles he desireth all men of their charity, especially those that are of his diocese, to take with as good intent and mind, as the said bishop wisheth and desireth, which is to the best: and the said bishop withal desireth all people to understand, that whatsoever opinion, good or bad, hath been received of him, or whatsoever usage or custom hath been heretofore; his only intent and purpose is to do his duty charitably, and with that love, favour, and respect, both towards God, and every christian person, which any bishop should shew to his flock in any wise.

Article I.

Whether the clergy, to give example to laity, have in their living, in their teaching, and in their doing so behaved themselves, that they (in the judgment of indifferent persons) have declared themselves to search principally the honour of God, and his church, the health of the souls of such, as are committed to their cure, and charge, the quietness of their parishioners, and the wealth and honour of the king and queen of this realm?

Article II.

Item, Whether your parson, vicar, or any other ministering as priest within your parish, have been or is married, or taken for married, not yet separated from his concubine, or woman taken for wife; or whether the same woman be dead, or yet living? and being living, whether the one resorteth to the other, openly, secretly, or slanderously maintaining, supporting, or finding the same in any wise, to the offence of the people?

Article III.

Item, Whether there be any person of what estate, condition, or degree he be, that doth in open talk, or privily defend, maintain, or uphold

hold the marriage of priests, encouraging or boldening any person to the defence thereof?

Article IV.

Item, Whether you have your parson or vicar resident continually with you upon his benefice, doing his duty in the serving of the cure? and whether being able to do, keep hospitality upon the same, feeding his flock with his good living, with his teaching, and his relieving of them to his power?

Article V.

Item, Whether your parson or vicar being absent, have sufficient dispensation, and license therein? and whether in his absence he do appoint an able, honest, and sufficient learned curate to supply his room and absence, to serve his cure?

Article VI.

Item, Whether your parson or vicar by himself, or his good and sufficient deputy for him do relieve such poor parishioners, repair and maintain his house or mansion, and things thereunto appertaining, and otherwise do his duty, as by the order of the law, and custom of this realm he ought to do?

Article VII.

Item, Whether the said curate appointed in the absence of your parson or vicar, do in all points the best he can to minister the sacraments and sacramentals, and other his duty in serving the same cure, especially in celebrating divine service at convenient hours, chiefly upon Sundays and holydays and procession days; and ministering the said sacraments and sacramentals, as of duty and reason he ought, moving and exhorting earnestly his parishioners to come unto it, and devoutly to hear the same? And whether he himself do reverently celebrate, minister, and use the same as appertaineth?

Article VIII.

Item, Whether he the said curate, parson, or vicar have been or is of suspect doctrine, erroneous opinion, misbelief or evil judgment, or do set forth, preach, favour, aid, and maintain the same, contrary to the catholic faith and order of this realm?

Article IX.

Item, Whether they, or any of them, do

E e haunt

haunt or resort to alehouses or taverns, otherwise than for his or their honest necessity and relief; or repair to any dicing houses, common bowling allies, suspect houses or places, or do haunt and use common games or plays, or behave themselves otherwise unpriestly and unseemly?

Article X.

Item, Whether they, or any of them, be familiar, or keep company, and be conversant with any suspected person of evil conversation and living, or erroneous opinion or doctrine; or be noted to aid, favour, and assist the same in any wise contrary to the good order of this realm, and the usage of the catholic church?

Article XI.

Item, Whether there be dwelling within any your parishes any priest, foreigner, stranger, or other, who not presented to the bishop of the diocese, or his officers, examined and admitted by some one of them, doth take upon him to serve any cure, or to minister any sacraments, or sacramentals within the said parish?

Article XII.

Item, Whether there be dwelling within any your parishes, or repairing thither any priest or other naming himself minister, which doth not come diligently to the church to hear the divine service, or sermons there; but absenteth himself or discourageth others by his example or words to come unto the same, expressing their name and surname, with sufficient knowledge of them?

Article XIII.

Item, Whether there be any married priest, or naming themselves ministers, that do keep any assemblies or conventicles with such like, as they are in office or sect, to set forth any doctrine or usage not allowed by the laws and laudable customs of this realm? or whether there be any resort of any of them to any place for any private letters, sermons, plays, games, or other devices not expressly in this realm by laws allowed?

Article XIV.

Item, Whether there be any of them, which is a common brawler, scolder, a sower of discord among his parish churches, a hawker, a hunter, or spending his time idly or unthriftyly? or being a fornicator, an adulterer, a drunkard, a common swearer, or blasphemer of God, or his saints? or an unruly and evil disposed person? or that hath come to his benefice or promotion by simony, unlawful suit, or ungodly means in any ways?

Article XV.

Item, Whether they, and every each of them, to the best of their powers, at all times have exhorted and stirred the people to quietness and concord, and to the obedience of the king and queen's majesties, and their officers; rebuking all sedition and tumult, with all unlawful as-

semblies, moving the people to charity and good order, and charging the fathers and mothers, masters and governors of youth to keep good rule, and to instruct them in virtue and goodness to the honour of God, and of this realm, and to have them occupied in some honest art and occupation to get their living thereby?

Article XVI.

Item, Whether they, or any of them do admit any person to receive the blessed sacrament of the altar, who are openly known or suspected to be adversaries and speakers against the said sacrament, or any other article of the catholic faith, or to be a notorious evil person in his conversation or doctrine, an open oppressor or evil doer to his neighbour, not being confessed, reconciled, and having made satisfaction in that behalf?

Article XVII.

Item, Whether they, or any of them have, of their own authority admitted and licensed any to preach in their cure, not being authorized and admitted thereunto, or have denied or refused such to preach as have been lawfully licensed? and whether they or any of them having authority to preach within their cures, doth use to preach, or at the least doth procure other lawful or sufficient persons to do the same according to the order of this realm?

Article XVIII.

Item, Whether they or any of them, since the queen's majesty's proclamation hath or doth use to say or sing the divine service, minister the sacraments or sacramentals, or other things in English contrary to the order of this realm?

Article XIX.

Item, Whether they, or any of them in their suffrages, collects, and prayers doth use to pray for the king and queen's majesties, by the names of king Philip and queen Mary, according to a letter and commandment therein lawfully given now of late unto them by their ordinary?

Article XX.

Item, Whether they, and every of them have diligently moved and exhorted their parishioners, how and in what manner children should be baptized in time of necessity; and they the said parishioners reverently and devoutly to prepare themselves to receive and use the sacraments, especially the sacrament of the altar, or to be confessed and receive at the priests hand the benefit of absolution, according to the laudable customs of this realm?

Article XXI.

Item, Whether they, and every each of them hath diligently visited his and their parishioners in the time of sickness and need, and ministered sacraments and sacramentals to them accordingly? and whether they have exhorted and monished them to have due respect to their

their souls health, and also to set an order in their temporal lands and goods, declaring their debts perfectly, and what is owing unto them; and they so to make their testaments and last wills, that as much as may be, all trouble and business may be excluded, their wives and children with their friends may be holpen and succoured, and themselves decently buried and prayed for, and to have an honest memory and commendations for their so doing?

Article XXII.

Item, Whether they, and every of them have solemnized matrimony between his parishioners, or any other persons, the bans not before asked three several Sundays, or holydays, or without certificate of the said bans from the curate of any other parish, if any of them be of another parish? and whether touching the solemnization and use of this sacrament of matrimony, and also of all other the sacraments of the church, they have kept and observed the old and laudable custom of the church without any innovation or alteration in any of the same?

Article XXIII.

Item, Whether they, or every each of them upon the Sunday at the service time doth use to set forth, and to declare unto the people all such holy days and fasting days, as of godly usage and custom hath heretofore laudably been accustomed to be kept and observed in the week following and ensuing? and whether they, and every of them doth observe and keep themselves the said holy days and fasting days?

Article XXIV.

Item, Whether the parson, or vicar doth repair and maintain his chancel and mansion-house in sufficient reparation? and the same being in decay, whether he doth bestow yearly the fifth part of his benefice, till such time as the same be sufficiently repaired; doing also further his duty therein, and otherwise as by the law he is charged and bound in that behalf, distributing and doing as he is bound by the law?

Article XXV.

Item, Whether there be any person, that doth serve any cure, or minister any sacraments, not being priest? or if any do take upon them to use the room and office of the parson, or vicar, or curate of any benefice or spiritual promotion, receiving the fruits thereof, not being admitted thereunto by the ordinary?

Article XXVI.

Item, Whether they, and every each of them doth go in priestly apparel and habit, having their beards and crowns shaven? or whether any of them doth go in laymens habits and apparel, or otherwise disguise themselves, that they cannot easily be discovered or known from laymen?

Article XXVII.

Item, Whether they, or any of them have many promotions and benefices, ecclesiastical cures, secular services, yearly pensions, annuities, farms, or other revenues now in title or possession; and what the names of them be, and where they lie, giving all good instruction, and perfect information therein?

Article XXVIII.

Item, Whether such as have churches or chappels appropriated, or mansions or houses thereto appertaining, do keep their chancels and houses in good and sufficient reparation? and whether they do all things in distributions and alms or otherwise, as by law and good order they ought to do?

Article XXIX.

Item, Whether any such as were ordered schismatically, and contrary to the old order and custom of the catholic church, or being unlawfully and schismatically married after the late innovation and manner, being not yet reconciled nor admitted by the ordinary, have celebrated or said either mass or divine service within any cure or place of this city or diocese?

Article XXX.

Item, Whether any parson, or vicar, or other having ecclesiastical promotions, doth set out the same to farm without consent, knowledge and licence of his ordinary, especially for an unreasonable number of years, or with such conditions, qualities, or manners, that the same is to the great prejudice of the church, and the incumbent of the same, and especially of him, that shall succeed therein?

Article XXXI.

Item, Whether there be any parson, or vicar, curate, or priest, that occupieth buying and selling as a merchant, or occupieth usury, or layeth out his money for filthy lucre's sake and gain, to the slander of the priesthood?

Article XXXII.

Item, Whether they, or any of them do wear swords, daggers, or other weapons in times or places not convenient or seemly?

Article XXXIII.

Item, Whether any priest, or ecclesiastical person have reiterated or renewed baptism, which was lawfully done before; or invented or followed any new fashion or forms contrary to the order of the catholic church?

Article XXXIV.

Item, Whether the parson, vicar, or curate do (according to the law) every quarter in the year upon one solemn day or more, that is to wit, upon the Sunday or solemn feast, when the parishioners by the order of the church do come

come together, expound and declare by himself, or some other sufficient person unto the people in the vulgar or common tongue plainly, truly, and fruitfully the articles of the catholic faith, the ten commandments expressed in the old law; the two commandments of the gospel, or new law, that is, of earnest love to God and to our neighbour; the seven works of mercy; the seven deadly sins, with their offspring, progeny, and issue; the seven principal virtues, and the seven sacraments of the church?

Article XXXV.

Item, Whether that every priest having cure, do admonish the women, that are with child within his cure, to come to confession, and to receive the sacrament, especially when their

time draweth nigh, and to have water in readiness to christen the child, if necessity so require it?

Article XXXVI.

Item, Whether stipendiary priests do behave themselves discreetly and honestly in all points towards their parson or vicar, giving an oath, and doing according to the law and ecclesiastical constitutions, ordinances, and laudable customs in that behalf?

Article XXXVII.

Item, Whether any parson, vicar, or other having any ecclesiastical promotion, have made any alienation of any thing pertaining to their church, benefice, or promotion; what it is, and what warrant they had so to do?

Papae Rom.
JULII. III. 5.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1554.

Reg. Angliae
MARIAE 2.

A mandate of Bonner, bishop of London to abolish the scriptures and writings painted upon the church walls. Fox. vol. III. p. 107. ed. 1641.

EDMUND, by God's permission bishop of London, to all and every parsons, vicars, clerks, and lettered within the parish of Hadham, or within the precincts of our diocese of London, wheresoever being, sendeth greeting, grace, and benediction.

Because some children of iniquity, given up to carnal desires and novelties, have by many ways enterprized to banish the ancient manner and order of the church, and to bring in and establish sects and heresies; taking from thence the picture of Christ and many things besides, instituted and observed in ancient times laudably in the same, placing in the room thereof, such things, as in such a place it behoved them not to do; and also have procured as a stay to their heresies (as they thought) certain scriptures wrongly applyed, to be painted upon the church walls: all which persons tend chiefly to this end, that they might uphold their liberty of the flesh, and marriage of priests; and destroy, as much as lay in them, the reverend sacrament of the altar; and might extinguish and enervate holy days, fasting days, and other laudable discipline of the catholic church, opening a window to all vices, and utterly closing up the way unto virtue. Wherefore we being moved with a christian zeal, judging that the premises are not to be long suffered; do, for discharge of our duty, commit unto you jointly and severally, and by the tenour hereof do straitly charge and command you, that at the receipt hereof, with all speed convenient you do warn, or cause to be warned first, second, and third time, and peremptorily all and singular churchwardens and parishioners whosoever, within our foresaid diocese of London, wheresoever any such scriptures or paintings have been attempted, that they abolish and extinguish such manner

of scriptures, so that by no means they be either read or seen; and therein to proceed moreover as they shall see good and laudable in this behalf. And if after the said monition the said churchwardens and parishioners shall be found remiss and negligent or culpable, then you jointly and severally shall see the foresaid scriptures to be razed, abolished, and extinguished forthwith; citing all and singular those churchwardens and parishioners (whom we also for the same do cite here by the tenour hereof) that all and singular the churchwardens and parishioners being slack and negligent, or culpable therein, shall appear before us, our vicar general, and principal official, or our commissary specially in our cathedral church of St. Paul at London, in the consistory there, at the hour appointed for the same, the sixth day next after their citation, if it be a court day, or else at the next court day after ensuing; whereas either we or our official or commissary shall sit, there to say and allege for themselves some reasonable cause, if they have any, or can tell of any, why they ought not to be excommunicated, and otherwise punished for such their negligence, slackness, and fault; to say and to allege, and further to do and receive, as law and reason requireth. And what you have done in the premises, do you certify us, or our vicar, principal official, and such our commissary diligently and duly in all things, and through all things; or let him among you thus certify us, which hath taken upon him to execute this mandate. In witness whereof we have set our seals to these presents. Dated in the bishop's palace at London the 25th. day of the month of October, in the year of our Lord 1554. and of our translation 16.

Papae Rom.
JULII III. 5.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1554.

Reg. Angliae
MARIAE 2.

A letter sent from the council unto Edmund Bonner, bishop of London, concerning queen Mary conceiving with child. Fox vol. III. p. 108. 115.

AFTER our hearty commendations unto your good lordship. Whereas it hath pleased almighty God amongst other his infinite benefits of late most graciously poured upon us, and this whole realm, to extend his benediction upon the queen's majesty in such sort, as she is conceived and quick of child; whereby (her majesty being our natural leige lady queen, and undoubted inheritor of this imperial crown) good hope of certain succession in the crown is given unto us, and consequently the great calamities, which for want of such succession might otherwise have fallen upon us and our posterity, shall by God's grace be well avoided, if we thankfully acknowledge this benefit of almighty God, endeavouring ourselves with earnest repentance to thank, honour, and serve him, as we be most bounden. These be not only to advertise you of these good news, to be by you published in all places within your diocese, but also to pray and require you, that both your self do give God thanks with us for this his special grace, and also give order, that thanks may be openly given by singing of Te Deum in all the churches within your said dio-

cese; and that likewise all priests and other ecclesiastical ministers, in their masses and other divine services, may continually pray to almighty God, so to extend his holy hand over her majesty, the king's highness, and this whole realm, as this thing being by his omnipotent power graciously thus begun, may by the same be well continued and brought to good effect to the glory of his name: whereunto albeit we doubt not, ye would of your self have had special regard without these our letters; yet for the earnest desire we have to have these things done out of hand, and diligently continued, we have also written these our letters, to put you in remembrance. And so we bid your lordship most heartily well to fare. From Westm. the 27. of November, 1554.

Your assured loving freinds:

S. WINTON, cancell.	JOHN BATHON.
ARUNDELL.	R. RICH.
F. SHREWSBURY.	THO. WARTHAM.
EDWARD DARLY.	JOHN HUDDILSTON.
HENRY SUSSEX.	R. SOUTHWELL.

Litterae patentes regiae de jurisdictione legatina exercenda. Ex reg. Poli fol. 6. b.

PHILIP and Mary, by the grace of God king and queen of England, France, Naples, Jerusalem, and Ireland, defenders of the faith, princes of Spain, Sicily, archdukes of Austria, dukes of Burgundy, Milan, and Brabant, counts of Hapsburg, Flanders and Tirol to all men to whom these presents shall come, greeting. Whereas it hath pleased our most holy father the pope, Julius the third, to send unto us, and this our realm of England and the dominions of the same, the most reverend father in God, and our most trusty and dearest cousin, Reynold cardinal Pole, his legate de latere, with certain authorities of jurisdiction, graces, faculties and dispensations to be ministred, exercised and granted by authority of our said holy father and see apostolic to the subjects of our said realm and dominions of the same, as they shall for their relief sue and make request to our said cousin, executing his said commission and legacy aforesaid. We calling to our remembrance, and understanding the godly purpose and intent of our said dearest cousin his most honourable legation, and that the same is most beneficial, and to the spiritual solace and consolation of us and our said subjects (whose good order and right walking in the laws of God and our mother the holy church we much desire) and therefore we are most glad of the access and repair of our said most dear cousin unto us and this our realm with the said au-

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thority of jurisdiction from our said holy father, the pope's holiness and see apostolic. And for the better declaration thereof, we do by these our letters patents declare our pleasures and good contentments to be, that our said cousin shall repair unto us and into our said realm and the dominions thereof with his said authority of jurisdiction, and to use and exercise his authority legatine by himself, or by his officers and ministers under him, of whatsoever nation, country, state, or condition soever they be, denizens or not denizens, and that his said repair with his said authority is unto us most acceptable; but also do likewise by these our letters patents signify unto all our loving subjects as well spiritual, as temporal, that we are pleased and contented, that they shall make suits and requests to our said dearest cousin, and his officers and ministers, to obtain such graces, faculties and dispensations, as they shall have need of, and the same so obtained to use and put in execution, according to the nature and quality thereof, and according as they might have done in the 20th. year of our most dear father of famous memory, Henry the eighth: wherefore we will and command all and singular our subjects to receive, honour, and obey the said authority, in such cases of spiritual jurisdiction, for reformation of their souls, as in the time of the said 20th. year of the reign of our said father,

F f king

110 *Litterae patentes regiae de iurisdictione legatina exercenda.*

king Henry the eighth, was, or with his consent might have been used and executed in this realm. In witness whereof we have caused these our letters to be made patents. Witness

our selves at Westm. the tenth day of November, in the first and second years of our reign.

“ Per ipsos regem et reginam.”

Papae Rom.
JULII III. 5.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1554.

Reg. Angliae
MARIAE 2.

A prayer made by doctor Weston, dean of Westminster, daily to be said for the queen's deliverance. Fox vol. III. fol. 115. edit. 1641.

O MOST righteous Lord God, which for the offence of the first woman, has threatned unto all women a common, sharp, and inevitable malediction, and has enjoined them, that they should conceive in sin, and being conceived, should be subject to many and grievous torments, and finally be delivered with the danger and jeopardy of their lives; we beseech thee, for thy exceeding great goodness and bottomless mercy, to mitigate the strictness of that law; assuage thine anger for a while, and cherish in the bosom of thy favour and mercy our most gracious queen Mary, being now at the point to be delivered. So

help her, that without danger of her life, she may overcome the sorrow, and in due season bring forth a child, in body beautiful and comely, in mind noble and valiant. So that afterward she, forgetting the trouble, may with joy laud and praise the bountifulness of thy mercy, and together with us, praise and bless thee, and thy holy name, world without end. This, O Lord, we desire thee, we beseech thee, and most heartily crave of thee. Hear us, O Lord, and grant us our petition: let not the enemies of thy faith and thy church say: Where is their God?

Litterae cardinalis Poli, legati apostolici de latere in regno Angliae, ad papam Julium III. super reductione ejusdem regni ad obedientiam ecclesiae Romanae.
Fox pr. ed. fol. 1012.

QUAE superioribus diebus ad sanctitatem vestram scripsi de ea spe, quam ceperam fore, ut brevi hoc regnum ad ecclesiae unitatem et sedis apostolicae obedientiam rediret, etsi non sine magna causa scripsi; non poteram tamen non in aliquo timore versari, non solum ob eam difficultatem quam afferebat nostrorum hominum abalienata a sede apostolica voluntas, et inveteratum jam per tot annos ejus nominis odium; sed multo magis, quod verebar, ne ingressus ipse in causam, aliqua interposita minus honesta pactione, inquinaretur. Quod quidem ne accideret, vehementer egi cum sereniss. regibus. Sed nihil sane id necesse erat. Vicit eorum pietas, ac rei perficiendae studium omnem expectationem meam, quamvis maximam. Hodie autem vesperi, quo die S. Andrea, ea apostoli memoria colebatur, qui primus Petrum, fratrem suum ad Christum adduxit, divina providentia factum est, ut hoc regnum ad praestandum debitam Petri sedi et sanctitati vestrae obedientiam revocaretur, quo per illam Christo capiti et ejus corpori, quae est ecclesia, conjungeretur. Acta vero et confecta res est in parlamento, praesentibus regibus, tanta omnium consensione, et plausu, ut cum ego perorasset, post benedictionem statim ab universis mirifica laetitiae significatione acclamatum saepius sit, Amen. Ex quo plane perspectum est, in his sanctum illud semen, etsi diu oppressum, non tamen extinctum fuisse, quod vel maxime nobilitas declarat. Haec reversus domum ad sanctitatem vestram scripseram, ut ei de tanta re tamque feliciter divino consilio gesta subito gratularer, cogitans has literas regio tabellario dare, qui paulo post discessurus dice-

batur. Post vero, mutata sententia, cum statuissem certum hominem ex meis mittere, hoc tantum his literis addere volui ad gratulationis cumulum, ejusque laetitiae gratulationem, quam cum maximam cepi ex ipsius rei eventu, omnium maximae, tam sanctae, tam utilis universae ecclesiae, tam salutaris huic patriae, quae me genuit, tam honorificae ei, quae me excepit; tum vero non minorem ex ipsis regibus ex quorum virtute, pietateque id perfectum est, atque confectum. Quam multa et quanta potest ecclesia sponsa Christi, et mater nostra de his suis filiis sibi polliceri? O pietas, O prisca fides, quae quidem in utrisque sic elucet, ut qui eos videat, idem, quod propheta de primis filiis ecclesiae dixit, cogatur dicere: “ Isti sunt semen, cui benedixit Dominus. Haec plantatio Domini ad gloriandum”. Quam sancte sanctitas vestra omni auctoritate, studioque huic matrimonio favit? quod sane videtur prae se ferre magnam summi illius regis similitudinem, qui mundi haeres, a regalibus sedibus a patre dimissus est; ut esset virginis sponsus et filius, et hac ratione universum genus humanum consolaretur: sic enim rex ipse, maximus omnium qui in terris sunt, haeres, patriis relictis regnis, et illis quidem maximis, in hoc parvum regnum se contulit, hujus virginis sponsus et filius est factus (ita enim se gerit, tanquam filius esset, cum sit sponsus) ut, quod jam plene perfecit, sequestrum se, atque adiutorem ad reconciliandum Christo, et ejus corpori, quod est ecclesia, hunc populum praeberet. Quae cum ita sint, quid tandem non ipsi ecclesiae matri ab eo expectandum est? qui id effecit, ut convertat corda patrum in filios, et incredulos ad pruden-

Litterae cardinalis POLI ad papam JULIUM III. III

prudentiam justorum, quae sane virtus in ipso valde elucet. Haec vero regina, quae tum, cum sanctitas vestra me ad eam legavit, tanquam virgula illa fumi ex arboribus myrrhae, et thuris ex deserto ascendebat, ipsa paulo ante ab omnibus derelicta, quam nunc splendet? qualem jam myrrhae ac thuris odorem suavis effundit? quae ut de Christi matre, ait propheta, antequam parturiret peperit, antequam veniret partus ejus, peperit masculum. Quis unquam audivit tale? et quis vidit huic simile? nunquid parturiet terra die una, aut parietur gens simul? haec vero gentem totam nunc peperit, antequam eum partum ediderit, cujus in spe maxima fumus. Quanta nobis gratulandi causa datur? quanta gratias agendi divinae misericordiae, S. vestrae, et caesaris majestati; qui auctores tam felices tamque pii conjugii fuistis, per quod nos Deo Patri, et Christo, et ecclesiae reconciliati jungimur? qua de re gaudium, quod cepi, cum verbis consequi non possim, tacere tamen non possum. Huic vero gratulationi meae conjunctum est id, quod quidem cum in literis reverendi archiepiscopi Consani, sanctitatis vestrae apud caesaream majestatem nuncii cognoverim, maximam mihi laetitiam attulit, illam co-

pisse ea, quae in ecclesia Romana vitio temporum deformata sunt, in pristinum decorem restituere. Quod quidem cum factum fuerit, tum vero exclamare una cum propheta, et vestram sanctitatem appellare licebit illis verbis: exue te stola luctus, et vexationis; et indue te decore, quia Deus tibi est in gloria sempiterna: nominabitur enim tibi nomen tuum a Deo sempiternum, pax justitiae, et honor pietatis; tum autem dicetur, circumspice, et vide collectos filios tuos ab oriente sole usque in occidentem in verbo sancto gaudentes. Nihil certe est (ut de filiis in occidente collectis loquar, qui se ad occurrendum matri praeparant) quod libentius videre possint, quam illam (ut verbis prophetici utar) ea diploide justitiae amictam, qua Deus olim ipsam ornavit. Hoc unum reliquum est, ut vestrae sanctitatis gaudium cumuletur, et universae simul ecclesiae, quae una cum nobis indignis filiis suis Deum pro hoc orare non desinet. Deus optimus maximus sanctitatem vestram diu ecclesiae suae incolumem conservet. Londini die ultima Novembris, 1554. E. S. V.

Humillimus servus

REG. cardinalis POLUS.

Papae Rom.
JULII III. 5.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1554.

Reg. Angliae
MARIAE 2.

Absolutio facta per cardinalem Polum toti parlamento Angliae, praesentibus rege et regina. Fox pr. ed. fol. 1011.

DOMINUS noster Jesus Christus, qui nos suo pretioso sanguine redemit, et mundavit ab omnibus peccatis et inquinamentis nostris, ut exhiberet sibi sponsam gloriosam, non habentem maculam, neque rugam, quem et Pater constituit caput super omnem ecclesiam, ipse per suam misericordiam vos absolvat. Et nos auctoritate apostolica per sanctissimum dominum nostrum Julium papam tertium, ejus vices in ter-

ris gerentem, nobis concessa, vos et unumquemque vestrum, et regnum universum, et ejus dominia ab omni haeresi, et schismate, et quibusvis sententiis, censuris, et poenis propterea incursis absolvimus et liberamus, et unitati sanctae matris ecclesiae restituimus; prout in literis nostris plenius continebitur. In nomine Patris, et Filii, et Spiritus Sancti.

Bulla plenariae indulgentiae per S. D. N. Julium divina providentia papam III. concessae omnibus Christi fidelibus, qui Deo optimo pro unione regni Angliae sanctae matri ecclesiae jam facta gratias egerint, ac pro caeteris qui adhuc in errore remanent; necnon pro pace inter principes christianos obtinenda humiliter supplicaverint.

JULIUS episcopus, servus servorum Dei ad futuram rei memoriam. Cum nuper accepissemus amplissimum ac nobilissimum regnum Angliae, quod multos annos a reliquo catholicae ecclesiae corpore avulsum fuerat, omnipotentis Dei misericordia, et benignitate, ac summa charissimi filii nostri Philippi, Angliae, Franciae, Siciliaeque citra Farum, ac Hyerusalem regis illustris pietate; praecinente ei charissima filia nostra Maria, Angliae, Franciae, regina illustri: quae in hac re tanquam Maria illa, soror Moysi se gessit, simulque dilecti filii Reginaldi, sanctae Mariae in Cosmedin diaconi cardinalis, nostri et apostolicae sedis ad regem, reginam, ac regnum ipsum legati de latere, auctoritate, ad catholicae ecclesiae (extra quam nemini salus es-

se potest) unionem, et dictae sedis obedientiam revertisse: nos ingenti laetitia exultavimus, et divinae bonitati, quas potuimus, maximas gratias egimus; nihilque praetermisimus, quo fructus hujus nostrae laetitiae ad eos, qui in urbe erant, extenderetur. Verum quemadmodum in evangelio pater, invento filio, qui perierat, non solum laetatur ipse, sed alios etiam invitat, ut ejus laetitiae participes sint; ita et nos, ut hoc nostrum gaudium de tam insigni accepto beneficio per totum terrarum orbem diffundatur, et ut pro caeteris, qui in errore adhuc remanent, ab universa ecclesia Deus oretur, necnon ut quietam et tranquillam vitam agamus, obsecrationes a pluribus fiant. Omnibus et singulis utriusque sexus Christi fidelibus, etiam cu-

jusvis

jusvis ordinis regularibus, etiam reclusis, et in communi viventibus per universum orbem constitutis, ut postquam praesentes ad eorum notitiam pervenerint, confessorem, presbyterum secularem, vel cujusvis ordinis regularem eligere possint; qui, confessionibus ipsorum diligenter auditis, eos, et eorum quemlibet a quibusvis delictis, quantumcunque gravibus, et enormibus, etiam sedi apostolicae reservatis, etiam in bulla, quae in coena Domini legitur, contentis, et a censuris, quas propterea incurrerint, hac vice duntaxat in foro ecclesiae absolvere: et pro commissis poenitentiam salutarem injungere, ac vota quaecunque per eos nuncupata (castitatis et religionis votis duntaxat exceptis) in alia pia opera commutare valeat, apostolica auctoritate indulgemus. Ac de omnipotentis Dei, et Domini, ac redemptoris nostri misericordia, et beatorum apostolorum ejus, Petri et Pauli precibus, et auctoritate confisi, omnibus et singulis Christi fidelibus, qui humili corde ad Dominum nostrum Jesum Christum conversi, suorum peccatorum confessionem sacramentaliter fecerint, ac quarta, et sexta feriis, postquam hae nostrae literae ad eorum notitiam pervenerint, necnon die Sabbati ejusdem vel alterius immediate sequentis hebdomadae jejunaverint; vel orationibus, et eleemosynis, seu aliis piis operibus juxta uniuscujusque confessoris consilium, vacaverint; ac dominica immediate sequenti, seu alia die usque ad octavam dominicae ipsius inclusive, sacratissimum corpus Domini nostri Jesu Christi devote sumpserint, et pro tam immenso beneficio Deo omnipotenti gra-

tias egerint: necnon pro iis etiam, qui adhuc in tenebris degunt, ut eodem, quo Angli lumine perfundantur, oraverint; ac demum pro pace inter christianos principes componenda pias ad Deum omnipotentem preces effuderint, plenariam omnium peccatorum suorum indulgentiam, et remissionem, sicut anno jubilaei concedi solet, misericorditer in Domino elargimur. Volentes, et eadem auctoritate apostolica decernentes, ut senes aut infirmitate, vel alio rationabili impedimento detenti, qui praedicta in ecclesiis peragere non valebunt, propriis oratoriis similes indulgentias, et peccatorum remissiones, caeteris supradictis (ut praefertur) adimpletis consequantur, et consequi possint. Ut autem praesentes ad plurimum notitiam deducantur, omnes, et singulos venerabiles fratres nostros, patriarchas, archiepiscopos, et episcopos, ac alios ecclesiarum praelatos in Domino monemus, eisque in virtute sanctae obedientiae injungimus, ut cum primum ipsae literae, five earum exemplum manu alicujus praelati, seu personae in dignitate ecclesiastica constitutae subscriptum ad eos pervenerint, literas, seu exemplum hujusmodi ubique per eorum provincias, dioeceses, et ecclesias sincera charitate absque ullo quaestu publicent, et publicari faciant. Non obstantibus constitutionibus et ordinationibus apostolicis caeterisque contrariis quibuscunque. Datum Romae apud sanctum Petrum anno incarnationis dominicae millesimo quingentesimoquingentesimo quarto, nono kalen. Januarii, pontificatus nostri anno quinto.

JO. LARINEN.

BARENGUS.

Papae Rom.
JULII. III. 5.Archiepisc. Cant.
THO. CRANMER. 23.Anno Christi
1554.Reg. Angliae
MARIAE 2.

Cardinalis Poli literae dispensatoriae cum iis, qui bona ecclesiae possident, et illicita matrimonia contraxerunt. Strype mem. eccl. vol. III. append. p. 62.

REGINALDUS, miseratione divina sanctae Mariae in Cosmedin S. Romanae ecclesiae diaconus cardinalis Polus nuncupatus, ad serenissimos Philippum et Mariam, Angliae reges, fidei defensores, et universum Angliae regnum sanctissimi domini nostri papae et sedis apostolicae de latere legatus, eisdem serenissimis Philippo et Mariae, regibus salutem in Domino sempiternam.

Cum supremum concilium istius regni parliamentum nuncupatum, magistratibus vestris persuos supplices libellos exposuisset, quod perniciosissimo schismate in hoc regno alias vigente, quod nunc Dei misericordia et majestatum vestrarum pietate extinctum est, auctoritate ipsius parliamenti nonnulli episcopatus divisi, et ex his aliquae inferiores ecclesiae in cathedrales erectae, et scholae atque hospitalia fundata, necnon plurimae dispensationes et beneficiorum provisiones factae fuerunt, ac multae personae, quibus persuasum fuerat, juris canonici dispositiones hoc in regno amplius locum non habere, inter se in gradibus consanguinitatis vel affinitatis de jure prohibitis et aliis impedimentis canonicis sibi obstantibus, matrimonia per verba de praesenti contraxerunt, et multi actus judicarii et processus tam in primis, quam ulterioribus

instantiis super rebus spiritualibus et ecclesiasticis, coram judicibus tam ordinariis, quam delegatis, qui auctoritate laicali procedebant, habiti et servati; ac super eis etiam sententiae latae et promulgatae fuerunt, et bona ecclesiastica per diversas ejusdem regni personas occupata et apprehensa fuerunt. Quae quidem licet ex sacrorum canonum institutis irrita declarari possint, tamen si ad alium statum, quam in quo nunc sunt, revocarentur, publica pax et quies universi regni turbaretur, et maxima confusio oriretur, praesertim si dictorum bonorum possessores molestarentur; et propterea majestatibus vestris humiliter supplicaverint, ut apud nos intercedere dignentur, ut praemissarum rerum firmitati et stabilitati, et simul hujus regni quieti et tranquillitati de benignitate apostolica providere velimus.

Cumque episcopi quoque deinde, ac reliquus provinciae Cantuariensis clerus totum fere corpus ecclesiasticorum regni repraesentans, ad quos haec bonorum ecclesiasticorum causa maxime pertinet, exposuerint, quod haec bona ad jus ecclesiarum revocari non possunt, quin pax universalis et quies hujus regni turbetur, et causa fidei atque unitatis ecclesiae jam toto omnium consensu hoc in regno introducta, in

maximum

Admonemus tamen, cum divisio episcopatum et erectio cathedralium ecclesiarum sint * de majoribus causis, quae summo pontifici sint reservatae, recurrendum esse ad suam sanctitatem, et ab ea simpliciter postulandum, ut haec confirmare, seu de novo facere dignetur. Et licet omnes res mobiles ecclesiarum indistincte eis, qui eas tenent, relaxaverimus, eos tamen admonitos esse volumus, ut ante oculos habentes divini iudicii severitatem contra Balthesarem, regem Babylonis, qui vasa sacra non a se, sed a patre e templo ablata, in profanos usus convertit, ea propriis ecclesiis, si extant, vel aliis restituant. Hortantes etiam et per viscera misericordiae Jesu Christi obtestantes eos om-

nes, quos haec res tangit, ut salutis suae non omnino immemores, hoc saltem efficiant, ut ex bonis ecclesiasticis maxime eis, quae ratione personatum et vicariatuum populi ministrorum sustentationi fuerint specialiter destinata, seu aliis cathedralibus, et aliis, quae nunc extant inferioribus ecclesiis, curam animarum laudabiliter exercere, et onera incumbencia congrue supportare valeant. Datum Lambeth, prope London. Wintonien. dioeceseos, anno nativitatibus Domini M.D.LIV. nono cal. Januarii, pontificatus sanctissimi in Christo patris et domini nostri Julii, divina providentia papae tertii, anno quinto.

Reginaldus cardinalis Polus, legatus.

Papae Rom.
JULII III. 5.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1554.

Reg. Angliae
MARTAE 2.

The declaration of the bishop of London to be published to the lay people of his diocese, concerning their reconciliation. Excusum Londini in aedibus Johan. Cawodi, typographi regiae majestatis.

EDMUND, by the permission of God byshop of London, unto all and singuler the laye people of my diocesse, do send greetinge in our Saviour Jesu Christe.

Whereas this noble realme of England dividinge it self from the unitie of the catholyke church, and from the agrement in religion with all other christen realmes hath bene, besydes many other miseries and plages, which God's indignation hath powr'd upon it, grevously also vexed, and sore infected with many and sondry sorts of sectes of hereticks, as Arrians, Anabaptistes, Libertines, Zwinglians, Lutheranes, and many other; all whiche sectes be most repugnaunt, and contrary one agaynst another, and all agaynst God's truth and Christ's catholyke fayth: whereupon hath growen such sleaundler to the realme, such malyce and disagreement among ourselves, the inhabitantes therof, such treasons, tumultes, and insurrections against our prince, such blasphemy, and dishonour unto God, as no mans tongue or penne is hable to expresse. It hath pleased the goodnes of God to cast his eye of mercye and clemencye upon us, and to move the popes holynes to send his most godly messenger, the most reverende father in God, the lorde cardynall Pole legate de latere, to brynge us the glade tydynges of peace and reconciliation, and to reduce and brynge home unto the folde, the losse shepe that was gone astraye; whose message as it hath bene honourably received of the kinge and quenes majesties, even so the lordes spiritual and temporal, and commons at the last parliament hath received it, revoking all lawes (the which in the tyme of scysme were promulgate agaynst the authority of the popes holynes) and restoryinge the same, and the church of Rome to all that power which they had in this realme, before the sayd scysme; the which reconciliation was also most gladly and joyfully imbraced, as well of all the clergy and convocation of the province of Canterbury, as also of many other persons: and being so great and necessary to be extended to every person of the

realme, it hath pleas'd the sayd lord legates grace to geve, and impart unto me the sayd bishop of London, for my sayd diocesse, and to all such as I shall appoint in that behalf, power and auctority to absolve and reconcile all and every person thereof, aswel of the clergy, as of the laytie, and aswel men as women, the which wyl renounce theyr errors, and (being penitent) wyl humbly requyre to be restored to the unitie of the catholyke church, as by the letters of the sayd lord legates grace sent unto me, and from me sent unto everyche of the archdeacons within my diocesse, more at large may, and doth appear. And forasmuch as in mine owne person, aswell for the multitude of people, as distaunce of places, I cannot minister this benefit unto every pryvate person my self; and for that also the holy tyme of lent is now at hand, in whiche everye true christen man ought to come unto his own pastour and curate, to be of hym confessed, and to receive at his hand holsome counsell, penance, and absolution; these are therefore aswel to geve knowledge hereof unto every one of you, as also to signifye, and declare, that for that purpose I have by the sayde auctoritie, chosen, named, and deputed, and so by these presentes do chose, name, and depute all and synguler pastours, and curates, having cure of soules within my diocesse, and beyng themselves reconciled, herein, that they and every of them, by auctoritie hereof, shal have full power and auctoritie to absolve all such as be laye persons of theyr paryshes, from heresy and scysme, and from the censures of the church into the which they be fallen by occasion thereof; and also to reconcyle unto the church all suche, whiche shall declare themselves penitent, and desyrous to enjoy the benefyt of the sayd reconciliation. And whereas dyverse pastours and curates in sondrye paryshes, peradventure be not able to satisfye the myndes, and appease the consciences of some of their paryshners in cases, that shall trouble them; I have therefore geven also auctoritie to every archdeacon of my diocesse, within his archdeaconrye,

* Aliquid deesse hic videtur.

corrye, to name and appoint certeyne of the best learned in everye deanrye of theyre archdeaconrye, to supply that lacke, so that every man so troubled, may repayre to any one of them within the said deanrye whom he shall lyke best, to be instructed and appeaced in that behalf. And also I have appoynted, that if this beyng done, there shall yet remayne any scruple in the parties conscience, and hymself not satisfied, then the sayd partye to repayre, unto one of myne archdeacons, or chapleyns, unto whom his mynde shall be moost inclyned unto, or elles to repayre unto myne owne selfe, to be resolv'd in his sayd scruple or doute, and to receive and take such ordre therein, as to one of the sayd archdeacons, or unto me shall therein appeare to be most expedient. Further certifyinge and declaring unto you, that I have gyven commaundement herein to all my archdeacons, that they monyfe, and commaunde every pastour, and curate within their archdeaconries, that they havinge knowledge hereof, do in the fyrst holy day next then followynge, at the masse tyme, when the multitude of people is present, declare all these thinges unto their parisheners, and exhort them that they esteeme this grace accordingly, and reconcile themselves to the church before the fyrst sonday after Easter next ensuyng, which thinge I also do commaunde by the tenour hereof, with intimation that the sayde tyme beyng once past, and they not so reconciled, every one of them shall have processe made agaynst him, accordyng to the canons as the case shal requyre; for which purpose the pastours and curates of every paryshe shal be commaunded by their archdeacon to certifie me in wrytinge of every man and womans name that is not so reconcyled. Further, herewith I do signify and declare unto you, that our holy father the pope Julius, the third of that name, lyke a moost tender and naturall father, hearynge of the retourn and recovery of his prodigall child, this realme of England, hath hymselfe made much joye and gladnes

hereat, and also all other true christen realmes have done the lyke. Exhortynge you therefore in our Lord, not to be unthankfull yourselves, or negligent in this behalfe; but diligently to seke for it, joyfully to embrace it, and fruytfully to use it. Remembryng withall the monicion and charge which came from me the laste yeare, concernyng your coming to confession in Lent, and receaving of the sacrament at Easter, whiche monicion to all effectis and purposes, I have now here for repeated and renewed, charging you and also all your curates therewith. And because all our dueties is earnestly and devoutly to pray for the prosperous estate of our soveraignes, the kyng and quene of this realme, I do finally requyre and pray you as hertely as I can, to pray for theyr majesties accordingly, and specially that it may please almyghty God to sende unto her grace a good tyme, and to make her a glad mother, which cannot be but unto us all great joye, much comforte, and inestimable profyte. Given at London the 19th day of the moneth of February, in the yeare of our Lord God, after the computation of the church of Englande M.D.LIV. and of my translation the 16.

The fourme of absolution to be kepte by the pastores and curates in pryvate confessions concerning this reconciliation.

Our Lord Jesus Christ absolve you, and by the apostolyke auctority to me graunted and committed, I absolve you from the sentences of excommunication, and from all other censures and paynes, into the whiche you be fallen by reason of heresye, or scisme, or any otherwyse; and I restore you unto the unitie of our holy mother the church, and to the communion of all the sacraments, dispensyng with you for all manner of irregularitie. And by the same auctoritie, I absolve you from all your synnes, in the name of the Father, and of the Sonne, and of the Holy Ghost. Amen.

God save the kynge and the quene.

Papae Rom.
JULII III. 6.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1554.

Reg. Angliae
MARIAE 2.

A monition of Bonner, bishop of London, sent down to all and singular curates of his diocese, for the certifying of the names of such as would not come in Lent to confession, and receivng at Easter. Fox vol. III. p. 37.

EDMUND, by the permission of God bishop of London, to all parsons, vicars, curates, and ministers of the church within the city and diocese of London sendeth grace, peace and mercy in our Lord everlasting. Forasmuch as by the order of the ecclesiastical laws and constitutions of this realm, and the laudable usage and custom of the whole catholic church by many hundred years agone duly and devoutly observed and kept, all faithful people being of lawful age and discretion, are bound once in the year at least (except reasonable causes excuse them) to be confessed to their own proper curate, and to receive the sacrament of the altar with due preparation and devotion. And

forasmuch also as we be credibly informed, that sundry evil disposed and undevout persons, given to sensual pleasures and carnal appetites, following the lust of their body, and neglecting utterly the health of their souls, do forbear to come to confession according to the said usage, and to receive the sacrament of the altar accordingly; giving thereby pernicious and evil example to the younger sort to neglect and contemn the same. We minding the reformation hereof for our own discharge, and desirous of good order to be kept, and good example to be given, do will and command you by virtue thereof, that immediately upon the receipt of this our commandment, ye and every each of you within your

your cure and charge, do use all your diligence and dexterity to declare the same, straitly charging and commanding all your parishioners, being of lawful age and discretion, to come before Easter next coming to confession, according to the said ordinance and usage, with due preparation and devotion to receive the said sacrament of the altar; and that ye do note the names of all such as be not confessed unto you, and do not receive of you the said sacrament: certifying us or our chancellor or commissary thereof before the 6th. day of April next ensuing the date hereof; that so we knowing thereby, who did not come to confession and receive the sacrament, accordingly may proceed against them, as being persons culpable, and transgressors of the said ecclesiastical law and usage. Further also certifying us, our said chancellor, or commissary before the day aforesaid, whether you have your altars set up,

Papae Rom.
JULII. III. 6.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1554.

Reg. Angliae
MARIAE. 2.

The king and queen's indenture about abrogating the first fruits. Ex reg. Pole fol. 5. a.

THIS indenture made the 24th. day of February, in the second and third yeres of the reignes of our soveraigne lord and lady Philippe and Mary, by the grace of God king and queen of England, Fraunce, Naples, Jerusalem and Ireland, defendours of the faith, princis of Spain, and Sicil, archdukes of Austrie, dukes of Burgundy, Millyn, and Brabant, counties of Haspurge, Flaunders and Tiroll; between our said soveraigne lord and lady the king and quenes majesties on th'one partie; and the most reverend father in God Raynolde Pole, cardinall and legate de latere of the popes hollynes, and of the see apostolike specially sent unto their majesties and to their kingdomes and dominions, on th'other partie. Where at the parliament begonne and holden at Westminster the 21. day of October in the said second and third yeres of the reigns of our said soveraigne lord and lady, and their kepte and continued untill the dissolution of the same, being the 9th day of December then next ensuyng, one acte of parliament was made, entitled "An acte for th'extinguishment of the furst fructes, and towching order and disposition of the tenthes of spirituall and ecclesiasticall promotions, and of rectories and parsonages impropriat, remayning in the queen's hands:" it is amongst things enactid and providid: "That where the king and quenes majesties stande chargid for the payment of fundrie rentes, pentions, annuities, corrodies, fees, and other yerely payments, severally grantid as well by sondry late abbotes, priors, maisters of colledges, maisters of hospitalls, chauntrie prestes, and other ecclesiastical and spirituall parsons, before the dissolution of their houses, and divers and sondry parsons, severally and joyntly for terme of lyfe, lyves, and yeres; as also by her highnes father, king Henry. th'eight, and by her highness brother, king Edward the fixte, and by her majestie,

chalices, books, vestments, and all things necessary for mass and the administration of sacraments and sacramentals; with procession, and all other divine service prepared and in readines, according to the order of the catholic church, and the virtuous and godly example of the queen's majesty: and if ye so have not, ye then with the churchwardens cause the same to be provided for, signifying by whose fault and negligence the same want or fault hath proceeded, and generally of the not coming of your parishioners to church, undue walking, talking, or using of themselves there unreverently in the time of divine service, and of all other open faults and misdemeanors; not omitting thus to do, and certify as before, as you will answer upon your peril for the contrary. Given at London the 23d. of February, in the year of our Lord M.D.LIV.

or by any of them to divers and sondry religiouse parsons, and other severally or joyntly for terme of life, lyves or yeres, the names of all which parsons, together with their severall yerely rentes, pensions, annuities, corrodies, fees, and yerely paymentes and profits, shuld be specially and particularly set fourth and conteynid in a certeine book indentid, whereof th'one counterpayne to be signid by our said soveraigne lady the queen, and th'other with the sign manuell of the said most reverend father in God Reynold Poole, cardinal; to th'entent our said soveraigne lord and lady the king and quenes majesties, their heirs and successors, shuld be from the feast of St. Michael th'archangell last past, and at all tymes from thenceforth clerely exonerated, acquieted, discharged or saved harmles, of and from the payment of the said annuities, rentes, pensions, corrodies, fees, and yerely paymentes aforesaid:" our said soverayne lord and lady the king and quenes majesty were pleasid and contentid, that it was enactid, and therefore it was and is enactid by autorite of the said parliament: "That such and so manie of the clergy of this realme, as the said lord legates grace shuld and shall from tyme to tyme name and appointe; and the successors of them, and of every of them (if hit shall so please the said lord legates grace to name, appointe and assigne them) shuld from the said feast of St. Michael th'archangell last past, before the making of the said acte, and so from thenceforth from tyme to tyme untill the said rectories, parsonages, and benefices impropriatte, and other the spiritual profits specified in the said acte shuld be otherwise ordered, usid, and imployd by the assignment of the said lord legates grace", as in the said act is expressid and declarid, have, take, receyve, and perceyve as well all and singular the perpetuall pensions, annuall rentes, or tenthes, and every of them mentioned

In the said acte, at such daies and time, and by all such waies and meanes, as the same is limitid and appointid to be paid, either by several lettres patentes, or by the statute made in the 26th. yere of the said king Henry th'eight, or by any other statute made for and concerning the true payment of the said tenthes, or any of them, as also all and singular th'yssues, revennewes, profittes, and commodities of and in all and singuler the said rectories, parsonages, and benefices impropriate, glebe landes, tithes, oblations, pensions, portions, and other profittes and emolumentes ecclesiastical and spiritual aforesaid, mentioned in the said acte; and of the reversion and reversions thereof; when they shall fall by all such waies, remedies, and meanes, for the levying and recovery of the rentes and profittes of the said premises, as our said soveraigne lord and lady, her highnes heires and successors should or might have donne, if the said premises had still continued in their majesties handes and possession, to this use, intente and purpose following: that is to say; that such and as many of the clergy of this realme, and their successors, as the said most reverend father the lord legates grace shuld name and appoint, as is aforesaid, shuld therewith satisfie, contente and paye, or cause to be satisfied, contentid and paid to all and every the said religiouse persons, and to others to be namid within the saide booke indentid, which at this time have or ought to have any pension, corrodie, annuitie, yerely rent, profite, or fee for terme of lief, lives or yeres, as is aforesaid, all and singuler their said pensions, annuities, fees, rentes, or corrodies at such daies and times, as is limitid and appointid by severall lettres patentes, or other writings, or grauntes to them made, and in such manner and form as our said soveraigne lord and lady, the king and quenes majestys, her heires and successors shuld or ought to have paid the same, if the said acte had never been had ne made; any thing mentioned in the said acte to the contrary notwithstanding; and that they shuld exonerate, acquitte, discharge or save harmless the said king and quenes majesties, and th'eyres and successors of the quenes highnes, kinges of this realme, of and for the payment of all and singuler the said pensions, annuities, corrodies, and fees, and shuld be further bounde for the assurance thereof, as shuld be devisid by their majesties with th'assent of the said lord legate; any thing before in the said acte mentioned to the contrarie notwithstanding; as by the said acte more plainly appeareth. Be hit witnessed by thes presentes, that according to the purporte, tenure, effecte, and plaine meaninge of the said statute, as well the names of the parsons aforesaid, to whom any such rent, pension, annuitie, corrodie, fee, or other yerely payment, as is afore specified, have been hertofore grauntid jointly or severally for terme of lief, lives or yeres as is aforesaid, as also the said yerely rentes, pensions, annuities, corrodies, fees or yerely payments so grauntid; with the which, and with the payment wherof all such of

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the clergy, as shall be appointid for the collection of the said tenthes and other the premises, shal be oneratid and chargid according to the tenure, forme, and effecte of the said statute, as specially and particularly set fourth and conteynid in this book indentid; wherof th'one part remaininge with the said lord cardinall his grace, is signid by our said soveraigne lady the quene, and th'other part remainning with her highnes, is signid with the sign manuell of the said lord cardinall his grace, according to the fourme of the said estatute. And forasmuch as it is ordeynid by the said estatute, that the said yerely rentes, pensions, annuities, corrodies, fees and yerely payments grauntid to the parsons, namid in this book indentid, shulde be paid to the same parsons at such daies and times, as is limitid and appointid by several lettres patentes, or other writings, or grauntes thereof, to the said persons made, and in manner and fourme as our said soveraigne lord and lady the king and quenes highnes, her heyres and successors, shulde or ought to have paid the same, if the said acte had never byn had or made. And for that divers of the said grauntes be made to divers of the said parsons, upon condition or by this clause: "*Quamdiu se bene gesserit*:" or with this clause: "*Quousque sibi de competenti beneficio provisum sit*:" or with such like in effect or any other, by reason of which clauses or conditions divers of the said grauntes be determined, and ought no longer to have continuance; therefore to th'intent the trueth may be searched out and known concerning the perfourming, and not perfourming of the said condition, and plaine meaning of the said clauses, and of all other acte and actes, thinge and thinges; wherby, or for the which the said grauntes or any of them be or ought to be determined: our said soveraigne lord the king and lady the quenes majesties, and the said lord cardinall his grace, be pleasid to provide and give autorite, concerning an order to be taken of and for the payment from hensforth of the rentes, annuities, pensions, corrodies, fees and sommes of money, in manner and fourme following: that is to say; our said soveraigne lord the king and lady the quene, the said lord cardinall his grace, and every of them, by thes presentes do geve full power and autorite to the lord chancellour of England, or to the keper of the great seale, for the tyme being, and to the lord treasurour, and lord privy seale, and to the cheif justice of England, and to the chief justice of the common ples, for the tyme being, and to three of them, whereof the lord chancellour or lord keper of the greate seale, for the time being to be one, to caule before them foure or thre of them, whereof the lord chancellour or lord keper of the greate seale for the time being to be one; any of the parties, to whom any of the said grauntes be graunted or made, as is aforesaid, and all parsons that can depose concerning the same, or any thing towching the same, and in the presence or absence of the said persons, by

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the othes of witneses, as is aforesaid, and by all other circumstances, as shall seem mete, or convenient to the said commissioners, four or thre of them, wherof the lord chancellour or lord keper of the greate seale to be one, to examyn and consider the validitie and invaliditie of the said grants, and every of them; and if it shall seme or appere to the said commissioners, or to thre of them (wherof the said lord chancellour or keper of the greate seal to be one) that any of the graunts so considered and examined, for any the causes aforesaid, or for any other goode and iuste cause or consideration, be or ought to be diminished, determined, or from thensforth no longer paid or continued; that then theruppon the said commissioners or thre of them, wherof the lord chancellour or keper of the greate seale to be one, to geve judgement or take order therin, as shall seme to their wisdomes moſte agreing to lawe, equitie, and conscience, and that after such order or judgement geven, every of the said rentes, pensions, annuities, corrodies, fees and annual payments, wherof such judgement or order shall be so given or taken, according to law, equitie, and conscience, as is aforesaid, shall have continuance, and be paid or not paid in no other manner or fourme, then according to the tenour or effect of such judgement or order, so as is aforesaid to be geven or taken. And it is further provided and agreed by our said soveraigne lord the king and lady the quene, and the said lord cardinall's grace, that every such judgement or order, geven or taken, as is aforesaid, be enterid upon the backe of the writing

or lettres patentes of every such graunte, whereof such judgement or order shall be geven or taken, as is aforesaid, and also that theis lettres J and E be written in the counterpaine of this book indentid, remayning with the said lord cardinal his grace, over the name of him against whome suche order shal be had as is aforesaid; and that donne then the lettres patentes, or other writings of every such graunte, whereupon such judgement or order shall be so given or taken, to be delivered to the partie, to whom the same was furſt grauntid, or to his lawful deputy or assign, if the said partie or his lawful deputy or assigne shall requier it. In witness of all the premises to the one part of this booke indentid, remayning with the said lord cardinall his grace, our said soveraigne lady the quene hath sette her highness signett; and to the other parte, remayning with our said soveraigne lady the quene, the said lord cardinal his grace hathe putt to his signe manuell, the day and yere first above written. And in further witness and corroboration of the assent and authority geven in the premises by our said soveraigne lord the king, and lady the quene; our said soveraigne lord the king and lady the quene have causid the said counterpayne of this book indentid, remayning with the said lord cardinall his grace, to be sealid with the great seale of England; and to the other parte of the said book indentid, remayning with our said soveraigne lord and lady the kings and quenes majesties in the courte of the exchequier, the said lord cardinall his grace hath likewise putt his seale the day and yeres first above-written.

Papae Rom.
JULII III. 6.

Archiepisc. Cant.
THO. CRANMER 23.

Anno Christii
1554.

Reg. Angliae
MARIAE 2.

Queen Mary's commission to turn out the reformed bishops. Ex Rot. pat. 1. Mariae par. 7. apud Burnet hist. reform. vol. II. append. p. 257.

MARY by the grace of God etc. To the right reverend fathers in God, our right trusty and right well beloved counsellors, Stephen bishop of Winchester, our chancellor of England, Cuthbert bishop of Duresm, Edmund bishop of London, Robert bishop of St. Asaph, and George bishop of Chichester, our almoner, and Anthony bishop of Landaff, greeting. Whereas John Taylour, doctor of divinity, naming himself bishop of Lincoln; John Hooper, naming himself bishop of Worcester and Gloucester; John Harley bishop of Hereford, having these said several pretended bishopricks given to them by the letters patents of our late deceased brother king Edward the sixth, to have and to hold the same, during their good behaviours, with the expresse clause: "*Quam diu se bene geſſerint*:" have sithence, as hath been credibly brought to our knowlege, both by preaching, teaching, and setting forth, of erroneous doctrine, and also by inordinate life and conversation, contrary both to the laws of almighty God, and use of the universal christi-

an church, declared themselves very unworthy of that vocation and dignity in the church.

We minding to have these several cases duly heard and considered, and thereupon such order taken with them, as may stand with justice and the laws, have for the special trust, we have conceived of your wisdoms, learning, and integrity of life, appointed you four, three, or two of you, to be our commissioners in this behalf; giving unto you four, three or two of you, full power and authority to call before you, if ye shall think so good, the said John Taylour, John Hooper, and John Harley, and every of them; and thereupon, either by order of the ecclesiastical laws, or of the laws of our realm, or of both, proceed to the declaring the said bishopricks to be void, as they be already in deed void, to the intent some such other meet personages may be elected thereunto, as for their godly life, learning, and sobriety, may be thought worthy the places. In witness etc. apud Westm. 15. die Martii.

P. pae Rom.
JULII III. 6.

Archiepisc. Cant.
THO. CRANMER 23.

Anno Christi
1554.

Reg. Angliae
MARIAE 2.

Alia commissio regia de expellendis nonnullis episcopis reformatis. Ex Rot. pat. 1.
Mariae par. 7. apud Burnet hist. reform. vol. II. append. p. 256 seq.

REGINA Dei gratia etc. per dilectis et fidelibus consiliariis suis Stephano Winton. episcopo, summo suo Angliae cancellario, et Cuthberto Dunelm. episcopo, necnon reverend. et dilectis sibi in Christo Edmund London. episcopo, Roberto Assaphen. episcopo, Georgio Ciestren. episcopo, et Antonio Landaven. episcopo, salutem. Quia omne animi vitium tanto conspectius in se crimen habet, quanto, qui peccat, major habetur: et quoniam certis et indubitatis testimoniis una cum facti notoreitate et fama publica referente, luculenter intelleximus, et manifesto comperimus, Robertum archiepiscopum Ebor. Robertum Meneven. Johan. Ciestren. et Paulum Bristolen. episcopos, aut certe pro talibus se gerentes, Dei et animarum suarum salutis immemores, valde gravia et enormia dudum commisisse et perpetrasse scelera atque peccata; et inter caetera (quod dolenter certe et magna cum amaritudine animae nostrae proferimus) post expressam professionem castitatis, expresse, rite, et legitime emissam, cum quibusdam mulieribus nuptias de facto, cum de jure non deberent, in Dei contemptum et animarum suarum peccatum manifestum, necnon in grave omnium ordinum, tam clericorum, quam laicorum scandalum, denique caeterorum omnium Christi fidelium perniciosissimum exemplum, contraxisse, et cum illis tanquam cum uxoribus cohabitasse. Ne igitur tantum scelus remaneat impunitum, ac multos alios pertrahat in ruinam, vobis tenore praesentium committimus et mandamus, quatenus vos omnes aut tres saltem vestrum, qui praesentes literas commissio-

nales duxerint exequend. dictos archiepiscopum Ebor. episc. Meneven. episc. Ciestren. et episc. Bristolen. diebus, horis, et locis, vestro aut trium vestrum arbitrio eligend. et assignand. ad comparend. coram vobis, seu tribus vestrum vocetis, aut vocari faciat; vocand. aut vocare faciant tres vestrum, seu saltem si ita vobis aut tribus vestrum videatur, eosdem archiepisc. et episc. praedict. adeatis, aut tres vestrum adeant, et negotio illis summarie et de plano sine ullo strepitu et figura judicii, exposito et declarato, si per summariam examinationem, et discussionem negotii, per vos aut tres vestrum fiendam, eundem archiepisc. et episc. praedictos, sic contraxisse aut fecisse constiterit; eosdem a dignitatibus suis praedictis cum suis juribus pertinen. vniversis omnino amoveatis, deprivetis, et perpetuo excludatis, seu tres vestrum sic amoveant, deprivent, et perpetuo excludant, poenitentiam salutarem et congruam pro modo culpae, vestro aut trium vestrum arbitrio, imponend. eisdem injungentes, caeteraque in praedictis cum eorum incidentibus, emergentis annexis, et connexis quibuscunque facientes, quae necessaria fuerint, seu quomodolibet opportuna; quae omnia et singula faciend. expediend. et finiend. nos tam auctoritate nostra ordinaria, quam absoluta, ex mero motu certa-que scientia nostra, vobis et tribus vestrum potestatem, auctoritatem et licentiam concedimus et impertimur per praesentes, cum cujuslibet coercionis et castigationis severitate et potestate in contrarium facient. non obstant. quibuscunque. In cujus rei etc. Apud Westm. 16. die Martii.

Articuli ministrati presbyteris conjugatis mense Martio 1554. Anth. Harmer
Specimen of errors, pag. 178.

IN PRIMIS an fuerit religiosus; cujus ordinis, et in quo monasterio sive domo?

Item, an fuit promotus ad sacros ordines, dum erat in monasterio?

Item, in quo et quibus sacris, et an ministravit in altaris ministerio, et quot annis?

Item, an citra professionem suam regularem conjunxit se mulieri sub appellatione matrimonii?

Item, cum qua, et in qua ecclesia fuit matrimonii solemnizatio, et per quem?

Item, quam duxit; eratne soluta an vidua?

Item, an cohabitavit cum ea in una et eadem domo, ut vir cum uxore?

Item, an prolem vel proles ex ea suscitaverit, necne?

Item, an post et citra matrimonii hujusmodi solemnizationem assecutus fuit, et est beneficium ecclesiasticum, habens curam animarum, et quot annos illud obtinuit?

Item, an officio sacerdotis post et citra assertum matrimonium hujusmodi contractum in altaris ministerio se immiscuit, ac sacramentis et sacramentalibus ministrandis se ingessit?

Item, an praemissa omnia et singula fuerunt et sunt vera?

Papae Rom.
JULII. III. 6.Archiepisc. Cant.
THO. CRANMER 23.Anno Christi
1555.Reg. Angliae
MARIAE 2.

Convocatio praelatorum et cleri provinciae Cant. per breve regium directum decano et capitulo ecclesiae Christi Cant. ad 22. diem Octobris in ecclesia S. Pauli London. summonita. Ex reg. convoc. et excerpt. Heylinianis.

SEDE archiepiscopali adhuc vacante decanus et capitulum ecclesiae Christi Cant. Edmundo episcopo London. Cantuar. provinciae decano literas commissionales misit de suffraganeis ejusdem provinciae citandis et praemonendis ad diem et locum in brevi regio assignat. Illo adveniente sub praesidio episcopi London. pontificalibus insigniis redimiti sacra peragebantur. Deinde in domo capitulari, literis decani et cap. Cant. ac certificatorio episcopi Lond. super executione earum lectis, episcopus London. officium praesidis obiit, et summarie ac compendiose causam synodi vocandae exposuit, et monuit inferiorem domum de eligendo sibi prolocutorem.

In secunda sessione (Octob. 25.) Johannes Christopherfon decanus Norwicensis ab Henrico Cole, archidiacono Eliensi coram episcopo London. praesentatus ornatè et eleganter patres rogavit, ut hoc acceptabile tempus pro Dei gloria, eorum dignitate, reipubl. ecclesiasticae utilitate et totius regni expectatione agerent, res lapsas restituant, pristinum ecclesiae decus reducant etc. Quem prolocutorem una cum electoribus ejus episcopus London. laudum plena oratione prosecutus confirmavit, et sic eos remisit ad inferiorem domum, volens ut inter se eligant octo vel decem de gravioribus una cum prolocutore, ad audienda quaedam arcana, non solum ex parte regis et reginae, sed etiam cardinalis Poli, bonum publicum regni et ecclesiae concernentia. Quibus sic electis rursus ingressi sunt viz. prolocutor, Hugo Weston, Willielmus Pye, Fr. Mallett, Rich. Marshall, Henricus Cole, Will. Jeffery, Joh. Harpsfeld, Joh. Cottrell, Johan. Blaxton, et Joh. Rixman comparuerunt sciscitantes voluntatem domini praesidentis et coepiscoporum suorum. Quibus vice omnium dominus Eliensis dixit: unam causam hujus conventus provincialis esse, ut praelati et clerus Cant. provinciae illustrissimis dominis regi et reginae, multo aere alieno gravatis, et pecuniae penuria laborantibus, de aliquo grato subsidio eis elargiendo subveniant, commemorans maxima illa beneficia quae dignitas regia huic clero haecenus impenderat, tam remittendo primos fructus et perpetuas decimas, quam etiam restituendo de sua gratia omnia illa beneficia sive sacerdotia, quae olim monasteriis, collegiis etc. unita fuerunt.

Alteram causam dixit esse, quod dominus cardinalis constituerat quoddam diploma de istis disponendis; cujus exemplar eis tradidit, volens eos mature consulere, et referre opiniones proxima sessione. Suavit subsidium solvendum in annis quatuor proximis, viz. octo solidos de qualibet libra; et monuit ut eligerent inter se viros doctos, qui examinarent canones omnes ecclesiae, quos utiles putarent, et, si antiqui non sufficiant, novos constituerent. Et ibidem monuit, ut praedictum subsidium celeriter concedatur, et augendum potius viz. a tribus ad quatuor annos; maxime cum alii principes potius onerosi quam benefici retroactis annis ecclesiae fuerunt, regina autem in clerum devotissima et munificentissima.

In sessione tertia (30. Octob.) episcopus London. praesidens tractavit de nonnullis in ecclesia reformandis. Et ingressus prolocutor cum clero concordibus votis et summa gratia concesserunt subsidium praedictum, exceptis beneficiis minoribus octo libris, et exceptis collegiis Eton. et Winton. cum universitatibus Cantabr. et Oxon. Ibi etiam prolocutor dixit se tria habere a clero ab episcopis petita, in quibus eorum beneficio sibi subveniri petit.

1. Quod omnes illi beneficiati, qui spe remissorum primorum fructuum ex communi omnium rumore freti sacerdotia affecuti sunt, solutione nulla pro iisdem praevia, nec cautione interposita, non obligarentur rependere duplum etc. pro quo in fisco regio multi conqueruntur se conventos.

2. Ut apud legatum agere dignentur, ut diplomata apostolica pro sacerdotiis retinendis assequi valeant.

3. Ut statutum tollatur, in quo cavetur, quod cives Londinenses decimas suasolvere recusantes coram majore Londinensi conveniantur, et quod decimarum causae emergentes coram ordinario examinentur et decidentur.

Post aliquas deinde continuationes de die in diem, convocatio haec prorogata fuit ad facellum regium infra palatium Westmonast. ad diem quintum decimum Novembris. Antequam autem hoc tempus appropinquasset, card. Polus utramque provinciam summonuit ad synodum legatinam secundo die Decembris celebrandam.

Convocatio Eboracensis.

IN provincia Ebor. convocatio die quarto Martii ex mandato Nicolai Heath archiepiscopi

Ebor. more solito celebrata fuit in ecclesia metropolitana S. Petri Ebor. et deinde continuata.

Papae Rom.
JULII III. 6.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1555.

Reg. Angliae
MARIAE 2.

Constitutiones legatinae Reginaldi Poli cardinalis, legati a latere, archiepiscopi Cantuariensis. Ex MS. Cott. Cleop. F. 2. fol. 72. Collat. cum MS. Synodal. in Colleg. Corp. Christi Cantabrig.

Decretum primum.

QUONIAM hoc regnum, quod a corpore catholicae ecclesiae separatum erat, jam Dei misericordia ad ejus unitatem rediit; ne immemores tanti beneficii videremur, placuit, ut in quibuscunque missarum (praeterquam de festo duplici majori) celebrationibus post alias ejus diei collectas, et infra scripta dicantur. Item, ut quotannis in quibuscunque hujus regni locis, in die sancti Andreae apostoli, quo die haec reconciliatio facta est, processio solennis celebretur, qua tam insignis beneficii per universos fideles memoria renovetur; et inter missarum solennia in ecclesia, unde processio ducetur, concio ad populum habeatur, in qua processiois praedictae causa exponatur; et ubi id fieri non possit, is, qui celebravit, erudiat plebem per homiliam super hoc specialiter edendam.

Decretum secundum.

Quia vero cum obedientia sedis Romanae etiam canonicarum legum usus in hoc regno sublatus fuit, ex eaque re maxima fidei, et morum corruptio subsecuta est; idcirco statutum est, ut universa sacrorum tam generalium, quam provincialium conciliorum ab ea sede receptorum decreta, et Romanorum pontificum constitutiones, necnon et ecclesiae leges, olim in hoc regno canonice editae, in pristinum statum restituantur, et ab universis ejusdem regni fidelibus respective, et, prout ad eos pertinet, observentur, et transgressores earum puniantur. Item, ut in scholis publicis (sicut antea fiebat) jus canonicum doceatur. Item, ut non solum archiepiscopi, episcopi, decani, et archidiaconi, verum etiam officiales, et reliqui omnes, ecclesiasticam jurisdictionem habentes, volumen praesentium decretorum, et eorum, quae bonae memoriae Otho et Othobonus, olim sedis apostolicae in hoc regno legati, in similibus synodis, et archiepiscopi Cantuarienses in conciliis provincialibus pro tempore ediderunt, habeant. Caeteri vero sacerdotes, quibus animarum cura commissa est, praeter sacrorum biblicorum veteris editionis librum Latine scriptum, et alios libros ad curam animarum exercendam necessarios, easdem etiam constitutiones habere, et si quid dubii in eis occurrerit, peritiores consulere, et ex his ea, quae populum nosse oportet, declarare teneantur; qui vero hoc non observaverit, ordinariorum arbitrio puniatur. Et ne posthac ex librorum damnatorum lectione populus corrumpatur, damnantur, et anathematizantur omnes, qui sine speciali apostolicae sedis licentia habent, legunt, imprimunt, disseminant, aut in hoc regnum important libros haereticorum, seu aliter de fide suspectos; et, ut omnibus poenis contra eos latis puniantur, praef-

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cipitur; placuitque juxta ultimi Lateranen. concilii statutum, ne quis in hoc regno librum aliquem seu aliud quodvis scriptum imprimere audeat, nisi id prius per loci ordinarium, aut per alium ejus mandato, diligenti examinatione et subscriptione approbatum fuerit; qui vero contrarium fecerit, poenis in eo statuto contentis subiaceat. Item, ut universi libri et traditiones ad fidem et ecclesiasticam disciplinam spectantes, quas sancta Romana ecclesia probavit et recepit; seu in posterum probabit et recipiet, quasque cum omni reverentia praesens synodus recipit et amplectitur, ab omnibus hujus regni fidelibus pari reverentia sub censuris canonicis suscipiantur.

Et ut populus sciat, quam doctrinam sequi et fugere debeat, placuit recipere omnem eam fidem, quam tenet ac docet sancta Romana et apostolica ecclesia, omnium ecclesiarum mater et magistra, et ut omnes eam profiteantur et teneant; contraque omnis haeresis adversus hanc sanctam, orthodoxam, et catholicam fidem, et quicquid ab ea recedit et deviat, damnatur et rejicitur; et omne dogma quod cum ea fide non convenit, hic credendum aut docendum sub anathemate vetatur; et omnes haeretici, qui aliter tenent et docent, quam eadem Romana credit ac tenet ecclesia, damnantur et anathematizantur; et omnes censuras et poenas contra haereticos et eorum defensores, necnon contra ordinariorum et caeteros omnes, ad quos spectat, in extirpandis haeresibus negligentes, a jure vel ab homine latas executioni demandari praecipitur. Et quia contra capitis ecclesiae et sacramentorum doctrinam potissimum hic erratum est, placuit doctrinam de primatu ecclesiae Romanae, et de septem sacramentis, quae in concilio generali Florentiae sub Eugenio quarto explicata est, huic decreto subicere. Item, constitutio bonae memoriae Johannis, archiepiscopi Cantuariensis in concilio provinciali edita renovatur; qua statutum est, ut in qualibet ecclesia parochiali fiat tabernaculum decens et honestum cum sera et clavi, quod in altum elevatum in medio summi altaris affigatur, si commode fieri potest, alias in commodiori et honorabiliore et magis summo altari vicino loco, qui haberi possit; in quo tabernaculo sanctissimum eucharistiae sacramentum custodiatur, non in bursa vel in loculo, sed in pixide lineo panno mundissimo interius ornata, ut sine diminutionis periculo facile reponi et eximi possit, atque ut ipsum venerabile sacramentum singulis hebdomadis innovetur. Ut autem hoc facilius executioni mandetur, statutum est, ut ordinarii in suis ecclesiis hujus observationis initium faciant, et, ut in aliis idem fiat, provideant; negligentibus per tantam fructuum subtractionem, quanta huic operi sufficiat,

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sufficiat, et alia juris remedia ad hoc observandum compulsis. Huic constitutioni in honorem corporis Domini nostri Jesu Christi, et plebis aedificationem placuit addere, ut perpetuo lampas vel cereus coram sanctissimo hoc sacramento ardeat; ubi vero per paupertatem ecclesiae id commode fieri non potest, locorum ordinarii curabunt, ut alia via, quantum in eis fuerit, hic cultus antiquus restituatur.

Item, constitutiones omnes ecclesiasticae tam generales, quam hujus regni particulares circa custodiam fontis baptismalis, chrismatis, et olei sancti, et reverentem administrationem ipsorum sacramentorum, sub poenis in eis contentis, et aliis etiam, si ordinariis placuerit, gravioribus innovantur, atque ut observentur, mandatum est. Item statutum est, ut in ecclesiarum dedicationibus, quae primo die dominico mensis Octobris ubique in hoc regno celebrari mandantur, caeterisque diebus festis, populus spectaculis, comessationibus, tripudiis, similibusve vanitatibus non attendat, sed divinis officiis vacet. Hoc autem ut fiat, episcopi ipsi, poenis censurive adhibitis, ac seculari brachio, si opus fuerit, invocato, diligenter curabunt.

De residentia. Decretum tertium.

Quoniam ecclesiae reformatio ab hiis, qui aliis praesunt, est inchoanda, et cum potissimum ipsa deformetur, quod ei non resideant; a quo abusu reliqua mala provenire, archiepiscopi et episcopi et caeteri curam animarum habentes, attendentes sibi et universo gregi, in quo Spiritus Sanctus posuit eos regere ecclesiam Dei, quorum sanguis de manibus eorum a supremo iudice est requirendus, et praesentiam suam et operas suas debitas illi exhibebunt, et omni negotiorum secularium sollicitudine vacui super gregem suum vigilabunt, et in omnibus secundum apostolum, laborantes ministerium suum implebunt: pro cuius decreti observatione omnes leges ecclesiasticae tam generales, quam hujus regni particulares contra non residentes editae, innovantur, easque inviolabiliter observari mandatur. Et ut contumaces etiam per ipsorum beneficiorum privationem ad residendum compellantur, praecipitur; poterit tamen ordinarius juxta canonem Fe. Re. Gregorii decimi papae, et in concilio generali Lugdunen. editum, dispensare ad tempus super personali residentia, si causa rationalis et juri consona id exposcet.

Item, cum constet dignitates et alia ecclesiastica officia in Dei ecclesiis ob id fuisse instituta, ut essent, qui ecclesiae Dei servirent, et ecclesiasticam disciplinam tanquam inspectores et moderatores conservarent; jam vero multa ab his occupantur, qui dignitatum et officiorum titulos quidem gerant, ab ecclesiis autem suis cum magno earum detrimento absint: ideo statutum est, ut posthac omnes decani, praepositi, et reliquae dignitates, et officia tam in cathedralibus, quam collegiatis ecclesiis obtinentes, necnon et scholarium collegiorum praefecti in suis ecclesiis et collegiis, archidiaconi vero vel in archidiaconatibus vel in cathedralibus ecclesiis episcoporum arbitrio resideant, et operam ex officio suo illis debitam per se ipsi praestent.

Si quis vero ultra vacationem, sibi ex statutis ecclesiae concessam ab ecclesia, archidiaconatu vel collegio suo abfuerit, arctioribus ecclesiarum et collegiorum statutis et consuetudinibus in suo robore permanentibus, placuit, ut fructus pro rata temporis absentia amittat, iique in usum mensae ecclesiae cathedralis, quae ad alendos scholares erecta jam fuerit, vel erigetur, convertantur. Et si longioris absentiae ratio ista postulaverit, aliis etiam juris remediis, usque ad dignitatis ipsius et ecclesiae privationem inclusive ad residendum compellatur; poterunt tamen, qui hujusmodi ministeria obtinent ex rationabili et justa causa, per majorem partem capituli vel collegii probata, de licentia ordinarii ad certum tempus abesse. Et cum canonicatus et praebendae in ecclesia ideo sint instituti, ut personae, quae ad eos assumuntur, episcopo assistant, et ut per eos cultus divinus congrue peragatur; placuit, ut posthac omnes canonici quarumcunque ecclesiarum, qui ad personalem residentiam ex fundatione, statuto, vel consuetudine tenentur ad residendum, per subtractionem fructuum ex canonicatibus et praebendis provenientium, eis pro rata temporis, quo ultra vacationem sibi ex statutis ecclesiae concessam, sine licentia superioris ex justa causa concessa, et a majori parte capituli approbata, abfuerint, compellantur; hi autem fructus in praedictae scholarium mensae usum convertendi sunt. Si qui vero sint, qui ex fundatione, statuto, vel consuetudine ad residentiam asserunt se non teneri, statutum est, ut ubi praebendae redditus ad decem libras quotannis ascendunt, uno saltem, vel, si ad viginti libras perveniunt, duobus mensibus continuis vel interpolatis ampliusve ad arbitrium ordinarii quolibet anno in ecclesia, ad quam praebenda spectat, praesentes sint, et in habitu per canonicos, qui ibi resident, gestari solito, divinis officiis intersint. Qui secus fecerit, sexta parte proventus annui illius praebendae multetur, eaque in usum praedictae mensae convertatur, nisi hujusmodi fructus his, qui divinis intersint, seu aliis piis usibus per statuta ecclesiae, seu alias legitime sint jam applicati, quod et in praecedentibus capitulis, ubi de hoc agitur, placuit observari. Et insuper est adjectum, ut distributiones quotidianae appellatae, quae ab hiis, qui divinis intersunt, tantummodo percipiuntur, ex quantumvis justa causa, nisi ea talis sit, quae expresse in hoc a jure vel statutis ecclesiae probetur, nemini qui eisdem divinis non intersit, concedantur.

Item, ad dolos et fraudes tollendas mandatur omnibus locorum ordinariis, ut posthac alicui ecclesiasticae personae studiorum causa indultum, ut non promoveatur ad ordines, ad quos alias ratione beneficiorum promoveri teneretur, et a sua ecclesia absens fructus eorundem beneficiorum percipiat minime concedant, nisi prius examinaverint personam, an ad eas disciplinas, quibus vult intendere, sit apta, et an eae disciplinae ecclesiae utiles sint. Et si, omnibus mature perspectis, licentiam concedant, tum de hujusmodi personae vita et studiis solliciti sint; et si eam non honeste vivere, vel in literis non proficere compererint, indultum

tum sibi concessum revocent.

Cum autem pluralitas beneficiorum maxime residentiam in eisdem impediat, statutum est, ut quicumque, cujuscunque ordinis aut dignitatis existat, plura beneficia ecclesiastica de facto jam obtinet, unicum retineat, et vel aliud seu alia, quae de jure tenere non potest, intra duorum mensium spatium a praesentium publicatione computandorum, in manibus ordinarii sui resignet et dimittat, alioquin omnibus ipso facto sit privatus. Qui vero in posterum plura beneficia curam animarum habentia, seu alias incompatibilia, absque sedis apostolicae dispensatione per quamcunque viam praeter illum modum, quem constitutio Gregoriana edita in concilio Lugdunen. permittit, obtinuerit, omnibus etiam, quae jure possidebat, sit ipso facto privatus. Innovantur etiam omnes poenae in constitutione felicitis recordationis Johannis xxii. quae incipit: "Audistis:" contentae, et quaecunque aliae de jure contra non residentes editae, et ut eae debitae executioni mandentur, praecipitur.

Item, ut ordinarii locorum quoscunque plura beneficia incompatibilia obtinentes, dispensationes suas exhibere districte compellant, et alias procedant juxta constitutionem Gregorii X. in concilio Lugdunen. editam, quae incipit: "Ordinarii." Idem etiam per idoneorum vicariorum deputationem et congruae portionis fructuum assignationem providebunt, ut animarum cura in eisdem ecclesiis nullatenus negligatur, et earundem onera congrue supportentur consueta.

De praedicatione verbi Dei. Decretum quartum.

Quoniam episcoporum et curatorum omnium residentia in ecclesiis suis ad hoc exigitur, ut pastorum fungantur officio; statutum est, ut archiepiscopi, episcopi, et caeteri curam animarum habentes, per seipsos praedicandi verbi Dei munus juxta Christi et apostolorum mandatum et sacrorum canonum normas exercent. Quod si aliquando legitime fuerint impediti, viros idoneos ad id deligant, ut plebs cibo animarum suarum minime defraudetur. Qui vero hoc facere neglexerint, ad ea per superiores suos compellantur; hoc autem officium non modo publice, sed privatim etiam peragant docendo, admonendo, adhortando, deterrendo, consolando, prout opus esse cognoverint. Nullus autem praedicandi munus exercere praesumat, nisi vel ab apostolica sede, vel ab ordinario licentiam habeat; qui vero secus fecerit, poenis et censuris canonicis subiaceat. Item, episcopi admonebunt, quos ad praedicandum mittent de materia et forma, quam in praedicando servare debeant, ut caveant abusus qui in hoc sacrum mysterium verbi divini irrepsit, ut instituto populo ad poenitentiam, a qua salutis nostrae initium sumendum est, contra ea vitia et abusus, qui tum in doctrina, tum in moribus tempore schismatis hic maxime viguerunt, juxta mandatum Domini ad Esaiam prophetam: "Clament nec cessent annunciare populo Dei scelera eorum:" ubi defuerint concionandi periti rectores aut vicarii, homilias, ex hujus synodi mandato conscriptas, dominicis et aliis festis diebus legere tenebuntur.

Episcopi etiam provideant, ut curati pueros parochiae suae dominicis saltem diebus et aliis festis certa hora ad ecclesiam vocent, ibique eosdem in primis fidei rudimentis et pietate christiana diligenter instituunt; negligentes in hoc suo arbitrio puniendo.

De vita et honestate clericorum. Decretum quintum.

Exemplum vitae genus est quoddam praedicandi non minus efficax, quam per verbum Dei, ideo omnes episcopi et alii ecclesiarum praelati monentur, eisque praecipitur, ut sobrie, caste, et pie vivant, nec solum a malo sed etiam ab omni specie mali abstineant, ut eorum personae, domus, familia, mensa, supellex, modestiae et frugalitatis speculum dici mereantur. Quamobrem usus vestium sericarum et pretiosarum prohibetur; in mensa qualescunque convivae sint, non plusquam tria aut ad summum quatuor (quod magis inspecta praesentis temporis qualitate indulgendo, quam probando conceditur) ciborum genera praeter fructus et bellaria apponantur. Reliqua mensae condimenta sint lectio sacrorum librorum et pii sermones; a familiarium et equorum numerosa et superflua multitudo abstineant; curentque ut domesticorum suorum vita honesta et probata sit, utque modesto ac decenti vestitu omnes utantur. De fructibus autem ecclesiasticis quicquid, deductis necessariis expensis, supererit, in pauperes Christi et alia pia opera distribuunt; et demum ita se in omnibus gerant, ut forma gregis ex animo facti merito videantur.

Haec, quae de vita et moribus episcoporum dicta sunt, statutum est, ut in reliquis etiam inferioris ordinis clericis observentur; quod ut facilius executioni mandetur, curabunt ordinarii, ut omnes leges ecclesiasticae de vita et honestate clericorum editae observentur. Et ne quis ignorantiam hac in re praetendere possit, omnia, quae ad id magis pertinere videbuntur, in breve compendium redacta, ut ad omnium notitiam deducantur, operam dabunt. Quamvis religiosi professi et clerici in sacris ordinibus constituti, uxores habere non liceat, tamen quia multi post emissam professionem vel sacrorum ordinum susceptionem matrimonia (quae potius impudica contubernia sunt appellanda) de facto contrahere non sunt veriti, omnia hujusmodi matrimonia de facto contracta reprobantur; praecipiturque omnibus ordinariis, ut hujusmodi personas sic de facto conjunctas per censuras ecclesiasticas separent, et contra eos, qui quocunque modo non paruerint, juxta sacrorum canonum regulas severe procedant.

Item placuit, ut quaevis ecclesiastica persona, quae aliquod beneficium quantumvis simplex obtinet, vel in sacro ordine est constituta, habitum et tonsuram clericales juxta canonicas sanctiones deferat, et ab omnibus negotiis secularibus et vilibus exercitiis omnino abstineat, et horas canonicas persolvat, et alia, quae ordini suo conveniunt, observet; inobedientes ordinarius per quodcunque juris remedium etiam usque ad beneficiorum privationem inclusive compellat,

compellat, minorum autem ordinum clerici ab illicitis abstineant exercitiis, alioquin privilegiis clericalibus eo ipso privati sunt.

De collatione ordinum. Decretum sextum.

Quoniam episcopis nihil magis commendat apostolus post praedicationem verbi, quam manuum impositionem, ob eamque neglectam maximi abusus et innumera fere scandala in ecclesiam irreperunt; omnibus locorum ordinariis mandatur, ut omni studio et charitate, statutis a jure temporibus, dioecesanos suos, quos idoneos judicaverint, ordinibus per seipsos, nisi legitime impediti fuerint, initient.

Item placuit, ut ordinarii, quibus dictum est, "Nemini cito manum imposueris," ipsimet examinationi ordinandorum cum omni cura et solitudine intendant, nec ad alios rejiciant; si vero propter multitudinem ordinandorum aliorum auxilio indigeant, tum eorum opera utantur, quorum probitatem et diligentiam perspectam habeant, nec tamen archidiaconi aliive, ad quos hujusmodi munus spectat, excusantur, quominus et ipsi episcopo assistere debeant.

In examinatione ordinandorum, inprimis fides catholica, tum aetas, mores, vita, eruditio, et affectus spectentur, an sint de legitimo matrimonio nati, an in eis aliquis sit defectus, quo ab ordinibus de jure repellantur, atque inter caetera advertatur, ne fictis aut ementitis titulis promoveantur.

Et ut haec recte fiant, ordinandi ad sacros ordines mensibus aliquot ante tempus ordinationis episcopo voluntatem suam significabunt, ut de illorum statu commode cognoscere possit; deinde feria quinta praecedente diem ordinationis eidem episcopo se praesentabunt, et omnium praedictorum fiat diligens et plena examinatio; adferant autem omnes de his, quae superius dicta sunt, certa et fide digna testimonia non modo suorum parochorum, sed etiam praeceptorum, aliorumve proborum hominum, qui eos bene noverint.

Item placuit, ut nemo ad sacros ordines admittatur, nisi paulo ante confessus fuerit idoneo sacerdoti, qui ejus vitae conditionem sedulo scrutatus intelligat, an forte aliqua irregularitate aut aliquo alio impedimento teneatur, ut expediat eum ab ordinibus vel omnino, vel quoad hujusmodi impedimentum tollatur, abstinere. In minoribus etiam ordinibus ea cura et examinatio adhibeatur, quae cuique ordini suscipiendo necessaria videbitur.

De provisione beneficiorum ecclesiasticorum. Decretum septimum.

Cum beneficium non detur nisi propter officium; ideo episcopi omnes admonentur, ut omni humano affectu semoto ecclesiastica munera, praesertim ea, quibus animarum cura est annexa, non conferant nisi magis probatis atque idoneis, quaerentes non quae sua sunt, sed quae Jesu Christi.

Quoniam vero quod Paulus dixit, "Nemini cito manum imposueris," potissimum ministro-

rum ecclesiasticorum institutionem respicit, episcopi beneficia maxime curam animarum habentia, nisi habita prius diligenti personarum inquisitione, nemini conferant.

In his autem, quae praeficiuntur, haec spectari debent; sana doctrina, aetatis maturitas, morum gravitas, literarum scientia, saltem ea quae ad id munus, ad quod assumuntur, est necessaria, ut juxta Pauli doctrinam testimonium bonum habeant, utque nullum canonicum impedimentum eis obstat.

Et cum aliquis ad beneficium, quod personalem residentiam requirit, assumendus est, episcopus provideat an talis sit, qui et velit et possit in beneficio residere; nam si non possit, repellendus est; si possit, tum etiam antequam admittatur, promissionem etiam juratam de personaliter residendo et officium exequendo sub poena amissionis beneficii, ab eo recipiat: hanc autem promissionem in vicariorum provisionibus praestari debere juxta provinciales constitutiones declaratum est. Ad episcopos etiam pertineat a praefectis academiarum et collegiorum scripta habere nomina eorum, qui et moribus et doctrina ad beneficia obtinenda sint idonei.

Item quoniam multa mala ex diutina ecclesiarum vacatione oriuntur, admonentur omnes episcopi, ut quam citissime possint ecclesiis vacantibus de idoneis rectoribus provideant. Durante autem earum vacatione, procurent, ut recte gubernentur. Quae vero de episcopis dicta sunt, haec ad omnes inferiores quacunque ratione conferendi, eligendi, aut praesentandi facultatem habentes extenduntur.

De concessione praebendae et ecclesiae non vacant. Decretum octavum.

Cum in fraudem statuti concilii Lateranensis, de non faciendis dispositionibus nec provisionibus beneficiorum non vacantium, multi ad beneficia vacatura praesentandi, seu de illis disponendi potestatem in alios transferant, ex quo in hoc regno multa mala provenisse compertum est; ideo hujusmodi translationes perpetuo fieri prohibentur, et irritae inanesque declarantur; personae autem ecclesiasticae, quae in hoc deliquerint, pro ea et altera vice sint eo jure privatae, et ad superiorem facultas disponendi devolvatur. Qui vero contra hoc decretum beneficium receperit, is non solum illud ipso jure amittat, sed ad alia quaeque obtinenda inhabilis per quinquennium omnino sit.

De simonia. Decretum nonum.

Cum detestabile simoniae scelus universa jurata humana, quam divina vehementer execrentur; ideo omnis pecuniae datio, fructuum donatio, praediorum ad firmam seu affectum concessio, seu cujuslibet temporalis commodi interpositio, et omne pactum seu promissio in quorumlibet beneficiorum adeptione vel circa eam interveniens damnatur. Siquidem beneficia ecclesiastica gratis, libere, et absque ulla sorde vel conditione concedi et recipi oporteat; atque in beneficiis ad hunc modum adeptis, placuit non modo jus

nullum

nullum acquiri, sed et fructus, qui percepti fuerint restitui debere: et qui in hoc deliquerit, ad omnia beneficia ecclesiastica obtinenda perpetuo inhabilem esse; et si quis ecclesiastici ordinis in beneficiorum dispositionem deliquerit aliquo ex praedictis modis, eo ipso infamem esse, et omni disponendi facultate de eisdem beneficiis ad superiores devolvenda privari. Laicus vero patronus excommunicationis sententiae et aliis ecclesiasticis poenis subiaceat; mediatores autem tum ad omnes actus canonicos inhabiles sint, tum ad restituend. quicquid inde acceperint, alicui pro loco postea applicand. compellantur. Mandatur insuper ordinariis, ut ab eo qui praesentatus sibi fuerit, iuramentum infra adnotatum recipiant, et omnes constitutiones contra simoniacos editae innoventur. Forma autem dicti iuramenti talis est: Ego N. praesentatus ad beneficium de N. juro ad haec sacrosancta Dei evangelia, per me corporaliter tacta, quod propter dictum beneficium obtinend. aut praesentationem ad idem habend. ac acquirend. neque ego, neque alia persona vice et nomine meo, nec de consensu aut scientia mea patrono seu alicui cuicunque aliquid promissorum nomine aut intuitu promissimus aut dedimus; nec quicquam ejus rei gratia permutavimus, compensavimus, aut primo datum confirmavimus, apudve quemquam deposuimus, seu quicquam mutavimus, seu elocavimus; priusve mutuatum, commodatum, depositum, aut elocatum, aut quocunque modo debitum remisimus seu relaxavimus; nec de sanctuario, gleba, domibus, terris, praediis, tenementis, redditibus praedictae ecclesiae, fructibusve, decimis, aut oblationibus ejusdem praeteritis, praesentibus, aut futuris, donationem, remissionem, locationemve promissimus, fecimus aut inivimus; seu aliquis nostrum de mandato, scientia, aut consensu meo promissit, fecit, aut inivit. Ita me Deus adjuvet, et haec sancta Dei evangelia.

Ut res ecclesiae non alienentur, et beneficia ecclesiastica non locentur. Decretum decimum.

Ut indemnitatibus ecclesiarum prospiciatur, statutum est felicis recordationis Pauli papae II. constitutionem de rebus ecclesiae non alienandis, quae incipit "Ambitiose," una cum reliquis ecclesiasticis super eadem re provisionibus editis observandam esse. Item mandatur archiepiscopis et inferioribus praelatis, et piorum locorum gubernatoribus, ut infra sex mensium spatium a praesentium publicatione inventarium omnium bonorum mobilium et immobilium, jurium et actionum, ac debitorum ad ecclesias et pia loca quomodolibet spectant. coram pluribus fide dignis personis in forma probante conficiant; quod inventarium tertio quoque anno et quotiens rector mutatur, renovetur, cujus duo fiant publica instrumenta; quorum unum in propria ecclesia seu pio loco, alterum vel apud metropolitanam, si ad cathedralem, vel apud capitulum, si ad metropolitanam, vel apud episcopum, si ad inferiorem spectet ecclesiam, perpetuo conservetur. Haec autem inventaria in visitatione dioecesium inspiciantur, et si quid deperditum reperiatur, curandum erit ut recuperetur: ex-

cipiantur ab his tamen ea, quae de bonis ante ab ecclesiis ablatis jam apostolica auctoritate sancita sunt.

Praeterea constitutio bonae memoriae Othonis et Othoboni de dignitatibus et officiis ecclesiasticis sive proventibus ex spiritali exercitio provenient. nullo modo locandis, seu ad firmam et afflictum dandis innovatur; ac ne reliqua beneficia ecclesiastica ultra anni spatium cum ulla invocationis spe, sine ordinarii consensu, ad firmam concedi liceat, vetatur.

De pueris educandis in ecclesiis. Decretum undecimum.

Statutum est, ut singulae hujus regni metropolitanae et cathedrales ecclesiae certum puerorum numerum, vel seminarium quoddam pro cuiusque proventu et dioecesis magnitudine alere teneantur. In hunc autem numerum non cooptabuntur, nisi qui annos undecim vel duodecim ad minimum nati sint, quique pauperes potius parentes, quam divites habeant; qui bonae indolis ac spei sint; qui legere et scribere sciant: erudiendi sunt hii in grammatica, et in ecclesiastica disciplina diligenter instituendi. Horum duae erunt classes; altera provectiores aetate et doctrina continebit, qui acolythi sint; hisque praeter victum et togam annuam, quam liberalem vocant, aliquid etiam mercedis constituetur; in altera juniores erunt, quibus toga tantum et mensa dabitur. Incedent autem omnes, utriusque sint classis, cum tonsura et vestitu clericali, eodemque vivendi modo utentur, et divinis in ecclesia officiis interservient. Ex acolythorum classe quicunque ad aetatem legitimam pervenerint, et in moribus literisque profecerint, sacris initiabuntur ordinibus, et in quocunque ecclesiae ministerio episcopo et capitulo visum fuerit, operam suam praestabunt; hisque pro cuiusque merito de beneficio aliquo providebitur, quorum in locum alii ex inferiori classe substituentur. Licebit etiam extra hunc numerum aliis ejusdem civitatis et dioecesis pueris una cum his in grammatica et literis erudiri, dummodo honesti sint, eodemque vestitu et moribus utantur, qui item in locum clericorum, qui quocunque modo desiderabuntur, substituentur. Quousque autem certa dos huic operi assignabitur archiepiscopi et episcopi omnes fructuum annuorum, quos ex proventibus episcopatum suorum percipiunt, deductis decimis, subsidiis et feudis quadragesimam partem cum ad ipsos pueros alendos, tum etiam ad mercedem solvendam magistris, qui eos in grammatica et ecclesiastica doctrina et disciplina erudiant, in singulos annos pendunt. Quod item ut ab omnibus, qui praebendas vel beneficia quaecunque ecclesiastica aut jam obtinent, aut posthac obtinebunt, fiat; statutum est auctoritate scilicet ut ex fructibus beneficiorum suorum, quae vel singula, vel plura simul ad annum censum viginti librarum ascendant, partem quadragesimam ad hos ipsos usus in ea dioecesi, in qua beneficia obtinent, quotannis persolvant. Exigetur autem quadragesima haec pars ab his, qui per episcopum, decanum et capitulum quibus scholae cura committitur, ad hoc erunt designati. Docendi munus nemo in-

posterum quovis in loco suscipere audeat, nisi ab ordinario examinatus, probatusque, et de libris, quos legere debet, ante admonitus fuerit; alioquin excommunicationis poenam incurrat, et a docendo per triennium prohibeatur. Ex his vero, qui jam docendi munus exercent, si quis indignus fide, doctrina, vel moribus repperitus fuerit, ejiciatur; si dignus, confirmetur.

De visitatione. Decretum duodecimum.

Cum ecclesiarum visitatio ad vitia et abusus tollendos, ac rursus ad bonos mores inducendos, ac legum ecclesiasticarum vim et usum retinendum non solum utilis, verum etiam necessaria sit; placuit, ut episcopi, et alii locorum ordinarii dioeceses et loca sibi commissa juxta antiquam hujus regni consuetudinem, saltem singulis trienniis per seipsos, si autem legitimo aliquo impedimento detineantur, per idoneos substitutos, juxta formam ab eadem synodo descriptam, visitent.

Item, archidiaconi partem dioecesis sibi commissam in hiis, quae ad eos pertinent, secundum eandem formam visitent; graviora autem, et quae per eos emendari non possunt, ad episcopos referant; operam etiam dabunt, ut ea, quae in visi-

tatione per episcopum statuta et mandata sunt, perficiantur, ac de his, quae perfecta fuerint aut non perfecta, simulque de causis, quae eorum executionem impediunt, episcopum statim ad-monebunt; atque ut iidem archidiaconi officio suo tam in visitationibus, quam caeteris in rebus satisfaciant, constitutiones provinciales ac bonae memoriae Othonis, et Othoboni, sedis apostolicae legatorum, hac de re editae innoventur: et illi ejusdem Othoboni, qua cavetur, ne archidiaconi ob crimen manifestum a delinquentibus pecunias accipiant, sed illud digna animadversione puniant, additum est; ut si quis contra id fecerit, poena dupli ejus, quod acceperit, per episcopum multetur, eaque pecunia in usum mensae scholarium convertatur. Ut autem ecclesiarum praelati officium correctionis et reformationis libere exercere possint, constitutionem felicitis recordationis Innocentii papae III, in concilio generali editam, qua statuitur, ut iidem praelati eorum, quae suae sunt jurisdictionis excessus, appellatione postposita, vel consuetudine non obstante, corrigant et reforment, innovari placuit, et ab omnibus observari praecipitur^a.

Papae Rom.
JULII III. 6.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1555.

Reg. Angliae
MARIAE 2.

Acta synodi provincialis Cantuar.

IN synodo hac multa de residentia clericorum acta sunt, quae ex MS. collegii corporis Christi Cantabrig. libr. synodalia dicto, excerpta, appendici vitae archiepiscopi Cranmeri inseruit Strypius pag. 204, 205.

A proposition in the convocation against residence, with reasons for the said proposition; and remedies against non residence.

“Decretum perpetuae residentiae juxta canonum sanctiones optant pii; sed multa sunt, quae hodie impediunt, quo minus suum effectum juxta bonorum virorum vota consequatur.”

The reasons.

I. The statutes of the kingdom, not disallowed, as we hear, by the pope, do permit to the barons, and other great men of the kingdom a certain number of priests having cure of souls.

II. Not only the statutes of the kingdom, but the canons do permit the bishops a certain number of fellow workers to assist them.

III. Bishops and prelates, who by reason of their great learning, prudence, integrity of life, and high faith, are chosen to be the king's counsellors, and whose counsels are very necessary for the restoring of religion, ought not, as it seems, to be compelled to perpetual residence.

IV. When the barons and other great men may be retained in the orthodox faith by the

doctrine, honesty, age, and frequent exhortations of reverend men; it seems not convenient that such men should be driven from them, provided they do reside a good part of the year upon their churches.

V. Since the dispensation of two or three benefices hath been granted by former princes to some priests for the merit of their life and manners, they cannot without injury be deprived of them; nor yet can they in all respects reside personally and perpetually.

VI. When many have designed their sons for the universities, and have been at no small charges to give them learning, because they have entertained good hope, that they might hereafter be assistant to their friends and relations; this hope being gone, their care about this matter will also grow cold, otherwise of itself cold enough. For as he said: “Where there is no honour, there is no art.”

VII. The houses of the rectories in many places are either ruined or none at all, or let out by indentures.

Going to the Court of Rome.

Going to a general council.

Going to a synod or parliament.

Violent detaining.

Remedies.

That there be a less number of those, that follow the court, who heap up benefices upon benefices.

^a Constitutiones hae legatinae quarto post obitum card. Poli anno Romae prolixius, et si dicere fas est, accuratius editae sunt sub titulo “Reformatio Angliae.” Quia autem MSS. Cotton. et Cantabr. exemplar earum, uti clero Anglicano injunctae erant, continent; lectionesque illarum variantes integrum potius tractatum sibi deponere videntur, accessiones vel Transalpinas, vel extrasynodales hic omittere placuit.

That

That they, who have many benefices, reside a certain time upon each.

That a way be found, whereby such as live in towns and cities, may be forced to pay personal tithes; which being now almost quite taken away, the benefices in such places are in a great part lessened. When some of the bishops, by reason of the slenderness of their possessions, cannot afford stipends to the priests, their fellow labourers, that they, who serve them, reside for a certain time of the year in their own parishes.

That rectors, who heretofore have paid pen-

sions to monasteries in ready money, be not now compelled to pay the same in bread-corn to lay proprietors.

That in woody places, where the custom hath always obtained, tithe may be paid of sylvae caeduae (that is, wood that is cut to grow again) especially when there is a great scarcity of corn in such places.

Parishes are not divided jure divino. Whence followeth, that as many benefices may be laid into one; so one, by reason of the greatness of it, may be divided into two.

Sede Rom.
vacante.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1555.

Reg. Angliae
MARIAE 2.

Quindecim articuli, quibus academici Cantabrigienses ab episcopo Gardinero, academiae cancellario, subscribere jubentur *. Ex MS. C. C. C. Cantab. Misc. P. f. 297.

I. CREDIMUS et confitemur unum Deum verum, unum, omnipotentem, incorporeum, impartibilem, immensa potentia, sapientia, bonitate, creatorem et conservatorem rerum omnium visibilem et invisibilem; et tres in divinitate distinctas personas; Patrem ingenitum, Filium unigenitum, et Spiritum Sanctum ab utroque procedentem, ejusdem essentiae, potentiae, gloriae, et aeternitatis.

II. Credimus verbum Dei carnem assumpsisse ex virgine Maria, ita ut duae naturae, divina et humana in Christi persona inseparabiliter fuerint conjunctae, eundemque vere passum, crucifixum, mortuum, ad inferos descendisse, et tertia die resurrexisse, atque in caelos ascendisse, et ad dexteram patris sedere.

III. Credimus septem ecclesiae esse sacramenta a Deo instituta; nempe baptismum, confirmationem, eucharistiam, poenitentiam, extremam unctionem, ordinem, et matrimonium; per quae Deus invisibiliter confert gratiam, et operatur nostram salutem sive per bonos, sive per malos ministros.

IV. Credimus baptismum omnibus ad salutem esse necessarium, etiam infantibus; peccataque omnia tam actualia, quam originalia baptismo tolli et plenarie deleri, adeo ut, qui rite baptizentur, filii Dei fiant et haeredes vitae aeternae; eundemque baptismum nunquam esse iterandum.

V. Credimus hominem liberum habere arbitrium, quo potest male, et cum gratia Dei bene agere; et post peccatum admissum, Deo adjuvante, poenitere, et peccatorum remissionem consequi.

VI. Credimus, quod nec sine fide nec sola fide sine poenitentia et proposito vivendi secundum Dei mandata, aut sine spe et charitate homo possit justificari: eosque improbamus, qui vel solam fidem sine operibus satis esse ad salutem affirmant, aut innovationem vitae et justitiam inhaerentem inficiantur et negant; illam-

que fidei certitudinem, quam Lutherani jactitant, ut quae nec scripturarum testimoniis nitatur, et pietatis et virtutum nervos elidat, dum pestilentem securitatem in hominum animis inserit.

VII. Credimus opera bona adultis esse ad salutem necessaria, et cum ex fidei et spiritu charitatis procedunt, ita grata esse Deo, ut eis tanquam justam mercedem vitam retribuat aeternam, illicque in regno gloriosorem eum fore, qui hic pluribus pietatis operibus abundat.

VIII. Credimus in eucharistiae sacramento virtute verbi divini a sacerdote prolati, praesens esse realiter naturale Christi corpus, quod de virgine natum est, et item naturalem illius sanguinem; neque manere jam amplius substantiam panis et vini, neque ullam aliam substantiam, quam Christi Dei et hominis; unde eucharistiam sancte a nobis adorari, sive in missa sive extra missam certa fide tenemus. In qua missa vivificum esse Christi sacrificium tam pro vivis, quam pro mortuis propitiabile, communionemque sub utraque specie ad salutem necessariam non esse asseveramus; potestatemque consecrandi corpus et sanguinem Christi esse concessam solis sacerdotibus, secundum ecclesiae catholicae ritum legitime a Christo ordinatis.

IX. Credimus matrimonium inter christianos legitime contractum esse indissolubile, qualiscunque fuerit alter conjugum sive adulter, sive sterilis, sive haereticus.

X. Credimus unam esse in terris catholicam Christi ecclesiam, eamque visibilem, quae a tempore apostolorum ad nostram aetatem durans in hiis, quae fidei sunt et religionis, non potest errare; haereticisque, schismaticis, et excommunicatis, et ab hac ecclesiae unitate alienis et avulsis nullam superesse salutem; unumque esse sub Christo summum pastorem, cui omnes obedire tenentur, summamque hanc praeposituram divum Petrum, verum in terris Christi vicarium, et generalem totius Christi familiae pastorem primum omnium gessisse; post Petrum vero ex

* Articulos hos episcopus Gardinerus vicecancellario universitatis Cantabrigiensis transmittit, injungens, ut nemo ad gradum aliquem academicum admitteretur, aut suffragium praestaret in congregatione, nisi qui articulis hisce subscriberet. Numerus subscribentium erat 51. contradicentium duplo major ad 120. fere se extendebat.

128 *Articuli xv. quibus CANTABRIGIENSES subscribere jubentur.*

Christi institutione omnes deinceps Romanos pontifices, Petri in cathedra successores.

XI. Sanctos cum Christo agentes nos pie posse et debere venerari, eisdemque invocare, ut pro nobis orent, atque nostras preces et vota ab illis percipi, et eorum nos precibus juvari confitemur et agnoscimus.

XII. Reliquias martyrum, et loca in eorum honorem consecrata pie et religiose a christianis venerari, et invisi posse affirmamus; imaginum quoque usum ferendum, et hominibus fructuosum esse fatemur.

XIII. Credimus post hanc vitam esse purgatorium, in quo animae defunctorum purgantur, poenaeque adhuc peccatis debita exsolvitur; sanctumque et salubre esse pro defunctis exorare, nostrasque preces eleemosynas, jejunia, et opera alia pia, maxime autem altaris sacrificium illis multum prodesse persuasissimum habemus.

Sede Rom.
vacante.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1555.

Reg. Angliae
MARIAE 2.

A letter of the council for prayers for peace, and for the good choice of a new pope.
Reg. Bonner, fol. 363.

AFTER our right heartye commendations unto your good lordshipp. Wheare it hath pleased almighty God soo to directe the hartes of the highe and mighte princes, th'emporours majestie, and the Frenche king towards peace and concorde, that they have of late thoroughe the good medycyon of the queen's majesty appoynted sondrye personages of honour to treat and conclude upon some good meanes of agremente, and ende of theis longe and cruell warrs. Forasmuche as it is well considered, that theis and all other warrs be the just punishments and plagues sente from almyghty God, to punyssh the syns and wyckedness of the worlde; lyke as the king's and quene's majestyes for their godly dysposytions have sente certayne greate personages from hens, to be mediators in this treatye; so there majestyes knowing that the chieffe meane to bring this medycyon to a good ende, is, to appease the wrathe and displeasure of almighty God, have willed us to require you not only to admonyssh and cause to be admonysshed all your diocesans to call to God for mercye, and pray devoutlye that yt may please him of his infynyte good-

ness so to inspyre the hartes of the saide princes, and there commysyoners, as of this meating the desired fruycte of peace may ensue, to the common wealthe of christendome, and to cause common prayers to be used for this purpose in all churches within your diocese; but also to wryte to all other bysshoppes and ordinaries of the province of Canturbury to doo the like in there dioces. And in the same there common prayers to praye also to almyghty God, to governe the hartes of the colledge of cardinals, now assembled for the election of a Pope; that they may in shorte tyme well agree for the choyse of such one, as maye be to th'honour of almighty God, and mete to restore the unty and concorde of Christes church, which of late hath beyn soo soore troubled. In bothe which cases their majesties requireth your lordship to give order with diligence, and so we bydd your lordship right hartely farewell. From Hamptoncourte the 23. of Maye.

Your lordeshippes loving frendes,
F. Shrewsburye, Pembroke. T. Cheyne,
Thomas Wharton, William Petres, Richard Southwell.

Papae Rom.
PAUL. IV. 1.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1555.

Reg. Angliae
MARIAE 2.

A proclamation set out by the king and queen for the restraining of all books and writings tending against the doctrine of the pope and his church. Fox vol. III. p. 271. ed. M.DC.XLI.

WHEREAS by the statute made in the second year of king Henry the fourth, concerning the repressing of heresies, there is ordained and provided a great punishment not only for the authors, makers, and writers of books containing wicked doctrine, and erroneous, and heretical opinions, contrary to the catholic

faith, and determination of the holy church, and likewise for their fautors and supporters; but also for such, as shall have or keep any such books or writings, and not make delivery of them to the ordinary of the diocese, or his ministers within a certain time limited in the said statute; which act or statute being by authority

thority of parliament of late revived, was also openly proclaimed, to the intent the subjects of the realm upon such proclamation should the rather eschew the danger and penalty of the said statute; and as yet nevertheless in most parts of the realm the same is neglected and little regarded. The king and queen our sovereign lord and lady, therefore, &c. straitly charge and command, that no person or persons of what estate, degree, or condition soever he or they be, from henceforth presume to bring or convey, or cause to be brought or conveyed into this realm any books, writings, or works hereafter mentioned; that is to say, any book or books, writings or works made or set forth by, or in the name of Martin Luther, or any book or books, writings or works made or set forth by, or in the name of Oecolampadius, Zuinglius, John Calvin, Pomerane, John a Lasco, Bullinger, Bucer, Melancton, Bernardinus Ochinus, Erasmus, Sarcerius, Peter Martyr, Hugh Latimer, Robert Barnes, otherwise called Fryar Barnes, John Bale, otherwise called Fryar Bale, Justus Jonas, John Hooper, Miles Coverdale, William Tyndall, Tho. Cranmer, late archbishop of Cant. William Turner, Theodore Brasil, otherwise called Tho. Beacon, John Frith Roy, and the book commonly called Hales chronicle, or any of them in the Latin tongue, Dutch tongue, English tongue, Italian tongue, or French tongue; or any other like book, paper, writing, or work made, printed, or set forth by any other person or persons, containing false doctrine, contrary and against the catholic faith, and the doctrine of the catholic church: and also that no person or persons presume to write, print, utter, sell, read, or keep any, or cause to be written, printed, uttered, or kept any of the said books, papers, works, or writings, or any book or books, written or printed in the Latin or English tongue, concerning the common service and administration set forth in English, to be used in the churches of this realm, in the time of king Edward the sixth, commonly called the Communion book, or book of common service, and ordering of ministers, otherwise called, the book set forth by authority of parliament, for common prayer and administration of the sa-

craments, or to be used in the mother tongue within the church of England; but shall within the space of 15. days next after the publication of this proclamation bring or deliver, or cause the said books, writings, and works, and every of them, remaining in their custody and keeping, to be brought and delivered to the ordinary of the diocese, where such books, works, or writings be or remain, or to his chancellour or commissaries without fraud, colour, or deceit, at the said ordinaries will and disposition to be burnt, or otherwise to be used or ordered by the said ordinaries, as by the canons or spiritual laws it is in that case limited and appointed; upon pain that every offender contrary to this proclamation shall incur the danger and penalties contained in the said statute, and as they will avoid their majesties high indignation and displeasure, and further answer to their utmost perils.

And their majesties by this proclamation give full power and authority to all bishops and ordinaries, and all justices of peace, mayors, sheriffs, bailiffs of cities and towns corporate, and other head officers within this realm, and the dominions thereof, and expressly command and will the same and every of them, that they and every of them, within their several limits and jurisdictions, shall in the default and negligence of the said subjects, after the said 15. days expired, enquire and search out the said books, writings, and works, and for this purpose enter into the house or houses, closets, and secret places of every person of whatsoever degree, being negligent in this behalf, and suspected to keep any such book, writing, or works contrary to this proclamation; and that the said justices, mayors, sheriffs, bailiffs, and other head officers above specified, and every of them, within their said limits and jurisdictions, finding any of the said subjects negligent and faulty in this behalf, shall commit every such offender to ward, there to remain without bail or mainprise, till the same offender or offenders have received such punishment, as the said statute doth limit and appoint in this behalf. Given under our signes manual at our honour of Hamptoncourt the 13. day of June, the first and second years of our reigns.

Papae Rom.
PAULI IV. 1.

Archiepisc. Cant.
THO. CRANMER. 23.

Anno Christi
1555.

Reg. Angliae
MARIAE 3.

Bulla Pauli IV. papae ad confirmand. electionem Nicol. Heth, archiepiscopi Ebor. et quando misit pallium, insigne plenitudinis pontificalis officii de corpore B. Petri sumptum. Ex reg. Heth, fol. iii.

VENERAB. frater salutem et apostol. bened. Dudum ecclesia Eboracensis certo modo pastoris solatio destituta, nos — praeficiendo te illi in archiepiscopum et pastorem, ac tibi, ut a quocunque malles catholico antistite gratiam et communionem apostolicae sedis habente, accitis et in eo tibi assistentibus duobus vel tribus catholicis episcopis similes gratiam et communionem habentibus, munus consecrationis recipere valeres. — Cum autem tu ante provi-

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sionem et praefectionem; schismate in regno Angliae vigenti, ab uno seu pluribus episcopis schismaticis, et a quondam Henr. VIII. seu Edwardo VI. praetensis Angliae regibus, in certis ecclesiis institut. alias tamen in forma ecclesiae ordinatis et consecratis, et propterea solum executione ordinis episcopalis carentibus, secundum eandem formam clericali caractere insignitus, et ad quatuor minores ac omnes sacros et presbyteratus ordines promotus, et per dictum Hen-

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ricum

ricum seu Edwardum praetensum regem in Roffens. primo, et deinde in Wigorn. episcopum de facto institutus fueris, et praetextu institutionum hujusmodi possessionem, seu quasi, regiminis, et administrationis Roffen. et illa dimissa, Wigornien. ecclesiarum etiam de facto apprehenderis, ac ratione alterius ipsarum ecclesiarum munus consecrationis a nonnullis episcopis non minus tribus, et, ut praefertur, schismaticis, et a dicto Henrico seu Edwardo praetense rege in certis ecclesiis institutis, alias tamen secundum eandem formam ordinatis et consecratis, ac propterea solum executione ordinis episcopalis carentibus, alias juxta formam praedictam susceperis, et demum eandem ecclesiam Wigorn. realiter et de facto dimiseris, et de hiis nulla in literis nostris praedictis mentio facta fuerit, et propterea dubitas provisionem et praefectionem nostras praedictas viribus non subsistere, teque desuper molestari posse tempore procedente. Nos statui tuo in praemissis paterna charitate consulere, et ut dictae ecclesiae Ebor. puro corde et sana conscientia praesidere possis, nec provisio et praefectio nostrae praedictae possunt propterea quomodolibet impugnari, sed validae et efficaces existant, et tibi qui earundem provisionis et praefectionis nostrarum vigore seu praetextu possessionem, seu quasi, regiminis et administrationis ipsius ecclesiae Ebor. forsitan affecutus fuisti, effectum suum in omnibus et per omnia offerant, providere volentes; tuis in hac parte supplicationibus inclinati volumus, et tibi dicta auctoritate concedimus atque decernimus, quod provisio et praefectio nostrae ac cum omnibus et singulis in eis contentis clausulis literae praedictae valeant, ple-

nam roboris firmitatem obtineant, ac tibi suffragentur, etiam ad hoc ut clericali charactere, et per te, ut praefertur, susceptis munere consecrationis ac pallio tibi assignando, uti et in praedict. et presbyteratus ordinibus ministrare, necnon ecclesiae Ebor. praedictae in archiepiscopum et pastorem praesse, illamque in spiritualibus et temporalibus regere et gubernare, ac omnia, quae ordinis episcopalis existunt, et ad metropolitam pertinent, facere et exequi libere et licite valeas, in omnibus et per omnia perinde ac si in eisdem literis de praemissis omnibus specialis et expressa mentio facta fuisset. Nosque per illas tecum ut charactere et munere consecrationis ac pallio hujusmodi uti, et in eisdem ordinibus ministrare, necnon praefatae ecclesiae Ebor. in archiepiscopum et pastorem praesse, illamque in spiritualibus et temporalibus regere et gubernare, ac omnia, quae episcopalis ordinis existunt, et ad metropolitanum pertinent, facere et exequi libere et licite posses, dicta auctoritate dispensatum fuisset, prout eadem auctoritate, tenore praesentium, de specialis dono gratiae dispensamus, sicque ab omnibus censi et per quoscunque indicari debere, ac si secus super hiis a quocunque, quavis auctoritate, scienter vel ignoranter contigerit attentari, irritum et inane decernimus; non obstantibus praemissis ac constitutionibus et ordinationibus apostolicis, necnon ipsius ecclesiae Ebor. etiam juramento, confirmatione apostolica, vel quavis firmitate alia roboratis statutis et consuetudinibus, caeterisque contrariis quibuscunque. Dat. Romae apud S. Marcum sub annulo piscatoris 30. Octob. M.D.LV. pont. 1.

Papae Rom.
PAULI IV. 1.

Archiepisc. Cant.
THO. CRANMER 23.

Anno Christi
1555.

Reg. Angliae
MARIAE 3.

Litterae regiae de synodo celebranda. Reg. Reginaldi Poli, fol. 6. a.

PHILIPPE and Mary, by the grace of God king and queene of England, Fraunce, Naples, Jerusalem, and Ireland, defender of the faith, archdukes of Austrie, dukes of Millayne, Burgundy, and Brabant, counties of Haspurge, Flaunders and Tiroll, to all men, to whom thes presentes shall come, greatinge. Where we have graunted to the most reverend father in God and our most trustie and dearest cofin Reynald cardinal Pole, legate de latere to the popes hollynes, sent to us and to our realmes and dominions, our letters patents of our will and consent for the free using of his faculties, auctorities, and jurisdiction legatine in fourme hereunder following. That is to say: Philippe and Mary, by the grace of God king and queene of England, Fraunce, Naples, Jerusalem, and Ireland, defendours of the faith, princes of Spain and Sicill. archdukes of Austrie, dukes of Millaine, Burgundie, and Brabant, counties of Haspurge, Flanders, and Tiroll, to all men to whom thes presentes shall come greating.

Whereas it hath pleased our most holly father, pope July the third, to send unto us, etc. * Know ye that for so much the said most reverend father earnestly desiring, that his labour and travaile may take fruite to the honor of God, and the welth of our subjects, hath now callid a synod of the clergie of this our realme of England, to appere before him at our palace at Westm. We to avoid all daungers, dowte, and ambiguitie, which might arise in that case by reason of any lawes, statutes, customes, or prerogatives of us, or of this our realme of England; and for the more ample declaration of our said lettres patents, have grauntid, declared, and signified, and by thes presents do graunte, declare, and signifie, that our will, pleasure, and consent is; that as well the said most reverend father, cardinal Pole, legate de latere of the popes hollynes and the see apostolike, may freely without lett of us, or danger of any our said lawes, statutes, customes, or prerogatives, caule and celebrate the

* Vide supra literas patentes regias de jurisdictione legatina exercenda A. M.D.LIV. ex reg. Pole, fol. 6. b.

said synode, or any other synode hereafter, at his will and pleasure; and in the same synode ordeyne and decree any holsom canons for the good lief and ordour of the clergy of this our realme of England, or of any other of our realmes and dominions, and do any other thing for the better executing of their office and dуетie: as also the said clergy may appere, and be present at the said synode or synodes, and consent to fulfill and obeye all such canons, as shall be ordeynid in the same,

or any of them, without lett or impediment of us, and without incurring any daunger, or penaltie, or forfeiture of any of our lawes or statutes; any acte, ordinaunce, or other matter contrary to the same notwithstanding. And herto we have given our full power and auctoritie by thes presents. In witness whereof we have caused thes our letters to be made patents. Witnes our selves at Westm. the second day of November, the second and third yeres of our reignes. Per ipsos regem et reginam, etc.

Papae Rom.
PAULI IV. I.

Archiepisc. Cant.
THO. CRANMER 24.

Anno Christi
1555.

Reg. Angliae
MARIAE 3.

Cardinalis Poli monitio ad synodum legatinam celebrand. apud Westmonast. secundo die Decembris. Ex reg. Bonner, fol. 394.

EDMUNDUS, permissione divina London. episcopus reverendo in Christo confratri nostro Thomae, eadem permissione Elien. episcopo salutem et fraternam in domino charitatem. Noverit fraternitas vestra reverenda nos literas commissionales et mandatarias illustrissimi et reverendissimi in Christo patris et domini, domini Reginaldi, miseratione divina sanctae Mariae in Cosmedin sanctae Romanae ecclesiae diaconi cardinalis, Poli nuncupati, sanctissimi domini nostri papae et sedis apostolicae ad serenissimos Philippum et Mariam Angliae reges, et universum Angliae regnum de latere legati, sigillo istius illustrissimi et reverendissimi patris in quadam capsula stanea et cera rubea cum filis ferricis rubei coloris comprehenso, sigillatas, nuper cum ea, qua decuit, reverentia, obedientia, et honore recepisse humiliter exequendas, sub eo, qui sequitur, verborum tenore: Reginaldus sanctae Mariae miseratione divina in Cosmedin sanctae Romanae ecclesiae diaconus cardinalis, Polus nuncupatus, sanctissimi domini nostri papae et sedis apostolicae ad serenissimos Philippum et Mariam, Angliae reges, et universum Angliae regnum de latere legatus, venerat nobis in Christo dilecto Edmundo episcopo London. salutem in domino sempiternam. Circumspectioni tuae, de qua in hiis, et aliis plurimum confidimus, ut episcopos et reliquos provinciae Cantuar. personas ecclesiasticas, quae synodis provincialibus de jure, vel legitima et hic hactenus approbata consuetudine interesse solent, quatenus ipsi intra competentem arbitrio tuo statuendum terminum, praesenti qua, Spiritus Sancti gratia inspirante, auctoritate apostolica nobis quomodolibet concessa et commissa, qua fungimur, cum eadem circumspectione tua et aliis tam ejusdem Cantuar. quam Eboracen. provinciar. episcopis et reliquis ecclesiasticis, quae jam hic adsunt, personis inchoavimus, synodo per se, vel si legitimo aliquo sunt impedimento detenti, per procuratorem idoneum mandatum legitimum habentem adesse, et usque ad ejus finem interesse debeant, per se vel alium etiam sub certis contra inobedientes arbitrio tuo comminandis poenis, nomine nostro moneas, et ad eandem synodum voces eadem auctoritate, tenore praesentium committimus et mandamus, contrariis non obstantibus quibus-

cunque. Datum in palatio apud sanctum Jacobum prope Westmonaster. anno a nativitate Domini M.D.LV. sexto idus Novembris, pontificatus sanctissimi in Christo patris et domini nostri, domini Pauli, divina providentia papae quarti, anno primo: sic signatas, Reginaldus cardinalis Polus legatus. M. Antonius Faitae secretarius Lampsonius. Quarum quidem literarum reverendissimarum vigore pariter et auctoritate nos Edmundus, episcopus antedictus, vos reverendum confratrem nostrum praedictum, et per vos decanum et capitulum et archidiaconos ecclesiae vestrae cathedralis, caeterosque praelatos quoscunque et clerum dioecesis vestrae praedictae, tam exemptos, quam non exemptos quoscunque, tenore praesentium, auctoritate praedicta peremptorie monemus; vobisque et illis sub poena suspensionis ab officio mandamus, quatenus vos, reverende confrater antedictus, decanusque, archidiaconi, et praelati personaliter, dictum vero capitulum et clerus per vos auctoritate et tenore praesentium monendi, per procuratorem idoneum sufficienter instructum, et clausulam rati habitationis in procuratorio suo habentem, si personaliter comparere non possint, aut voluerint coram dicto illustrissimo et reverendissimo in Christo patre et domino cardinali et legato praedicto synodum praedictam, Deo favente, prosecuturo in capella sive oratorio vulgo vocat. "The king's chappel," infra palatium regium apud Westmonaster. secundo die mensis Decembris prox. post datam praesentium venturi (si citius saltem venire non poteritis aut poterint) inter horas octavam et nonam antemeridiam ejusdem diei, cum continuatione et prorogatione dierum et horarum extunc sequent. et locorum, si et quatenus dicto illustrissimo et reverendissimo domino cardinali et legato antedicto ita expedire videatur, in synodo legatina praedicta cum aliis praelatis et personis tam Cantuarien. quam Eboracen. provinciar. compareatis et compareant, interitisque et intersint, super hiis, quae in dicta synodo tractabuntur, tractaturi, deliberaturi, consensuri, et conclusuri, caeteraque facturi, gesturi, et expedituri, quae dictae synodi natura et qualitas literarumque praedictarum tenor in et de se exigunt et requirunt; vobis insuper injungimus et mandamus sub poenis suspensionis praedictae, tam de receptione

receptione et executione praesentium, ac de omni eo quod in hac parte feceritis una cum scheda, nomina omnium in hac parte monendorum sufficienter et plene continente, dictum illustrissimum et reverendissimum in Christo patrem cardinalem et legatum antedictum dictis die, hora, et loco debite certificet fraternitas vestra. Dat. in palatio nostro London. sub sigillo nostro decimo die mensis Novembris, anno Domini M.D.LV. et nostrae translationis anno decimo septimo.

Ita est EDMUNDUS, episcopus London.

In hac synodo die 13. Decembris, prolocutor protulit librum intitulum "Institutio hominis christiani," factum tempore Henrici VIII. examinandum, et divisus est in partes: et tunc seligebantur quidam e domo inferiori ad conficiendas homilias: et articuli symboli apostolorum committebantur quibusdam ex eadem domo.

Die Lunae 16. Decembris, fuit divisio novi testamenti, ut verteretur in Anglicum, et de septem sacramentis tractabatur.

Die Veneris 20. Decembris, prolocutor ex parte reverendissimi mandavit omnibus praesentibus, praesertim decanis, ne confirmarent aliquas elocationes factas a clericis de beneficiis suis; deinde protulit scriptum continens quaedam vocabula bene considerata in translatione novi testamenti, de quorum interpretatione tractatum fuit 8. die Januarii; quo die prolocutor mandavit nomine reverendissimi, ut consultarent de modo stabiliendi scholas in ecclesiis cathedralibus: et 20. die ejusdem mensis delecti

sunt quidam ex ambabus provinciis, qui consultarent de quibusdam articulis, de modo alendi scholasticos in ecclesiis cathedralibus.

Primo, ut qui susciperent beneficia vacantia, solverent decimam patrem pro primo anno tantum.

Secundo, ut de bonis intestatorum aliqua portio per ordinarios assignetur, et ut administratores obligentur ad solvendum.

Tertio, ut contributio fiat de bonis in salutem animarum testatorum, non certis personis legatis.

Quarto, ut praedictae solutiones durarent ad triennium.

Sequenti die 21. Januarii, facta fuit sessio apud Lambhith, in superiori camera; ubi die Lunae seq. tractatum fuit de ministris sacerdotum, qui neque ministrarunt, neque ad celebrandum venire volunt, sed obstinate sese absentant. Die decimo Februarii (post nonnullas continuationes sessionum) prolocutor monuit omnes, ut convenirent in ecclesia parochiali de Lambhith ad audiend. constitutiones provinciales postridie legendas: [quas vide pag. praeced. 121.]

Hoc facto, adierunt sacellum infra manerium reverendissimi, ubi solennis missa de trinitate habita fuit, reverendissimo, episcopis, et clero ibidem praesentibus, cum copiosa multitudo plebis. Et finita missa, fiebant nonnullae preces, ministrante reverendissimo. Et postea mag. Watson, ex suggestu, Latine concionem habuit, in qua, inter alia, pronunciavit prorationem factam a reverendissimo usque in diem 10. Octob. proximo futuri.

Papae Rom.
PAUL. IV. 1.

Archiepisc. Cant.
THO. CRANMER 24.

Anno Christi
1555.

Reg. Angliae
MARIAE 3.

Bulla Pauli papae mandans depositionem et degradationem Thomae Cranmer, archiep. Cantuar. Ex Fox. vol. III. p. 997. ed. 1641.

PAULUS episcopus, servus servorum Dei, charissimo in Christo filio, Philippo regi, et charissimae in Christo filiae, Mariae reginae Angliae, Franciae, etc. illustribus, ac venerabilibus fratribus Londinensi et Eliensi episcopis, salutem et apostolicam benedictionem. Dudum per literas vestras, charissime fili, Philippe rex, et christiana filia, Marina regina, nobis significatur, quod iniquitatis filius Thomas Cranmerus, olim archiepiscopus Cantuariensis in haereses aliaque tam grandia et enormia crimina erat prolapsus, quod non solum regimine ecclesiae Cantuariensis se redigerat indignum, verum etiam majori poenae se fecerat obnoxium. Nos de praemissis certam notitiam non habentes, et tanta crimina, si vera essent, impunita, ecclesiamque ipsam sine pastore idoneo derelinquere nolentes, dilecto filio nostro Jacobo, tituli sanctae Mariae in via, tunc sancti Simeonis, Presbytero Cardinali, de Puteo nuncupato, vel de praemissis etiam summarie, simpliciter, et de plano sine strepitu et figura iudicii ac sine ulla terminorum substantialium vel telae iudiciariae observatione, de citato dicto Thoma se informaret, et quicquid invenisset, nobis referret, per specialem commissionem ma-

nu nostra signatam, dedimus in mandatis; sibi attribuentes potestatem in curia, et extra, citandi et inhibendi, ac literas compulsorias generales et speciales, ac remissorias, in forma consueta ad partes decernendi, et personas quascunque, si opus esse arbitraretur, ad exhibendum jura, sive ad perhibendum testimonium, etiam per censuras ecclesiasticas cogendi, et compellendi, seu, si pro celeriori expeditione sibi videretur, ad recipiendum informationem huiusmodi, aliquem probum virum in dignitate ecclesiastica constitutum in partibus istis commorantem, cum simili citandi, inhibendi, et cogendi facultate, deputandi ac subdelegandi: Ac sicut exhibita nobis nuper pro parte vestra, fili rex, et filia regina, petitio continebat, dictus Jacobus cardinalis commissionis huiusmodi vigore, citatione ad partes contra eundem Thomam, ad vestram, fili rex, et filia regina, instantiam decreta, venerabilem fratrem nostrum episcopum Gloucestrensem, una cum certis aliis ejus in ea parte collegis, et eorum quemlibet in solidum ad informationem super praemissis recipiendum subdelegavit, eisque vices suas in praemissis commisit. Et postquam dictus episcopus Gloucestrensis in causa huiusmodi ad cer-

tos

tos actus processerat, et ipsum Thomam super praemissis examinaverat, citatione praedicta, una cum ejus legitima executione in partibus facta, eoram eodem Jacobo cardinali judicialiter producta, et processu per audientiam literarum nostrarum contradictarum contra eundem Thomam citatum et non comparentem decreto, cum processu coram dicto episcopo Gloucestrensi contra ipsum Thomam in partibus habito, coram praefato Jacobo cardinali productus fuisset, et idem Thomas, ad id citatus, contra eum nihil diceret, imo comparere non curaret, praefato Thoma ad videndum per ipsum Jacobum cardinalem referri causam, et referri juramentum in supplementum plenae probationis, quantum opus esset, et ad concludendum et audiendum sententiam definitivam, ad certam tunc expressam diem et horam per audientiam literarum contradictarum hujusmodi citato, omnibus actis et actitatis causis hujusmodi diligenter visis et consideratis, causam ipsam ac omnia in praemissis actitata, nobis in consistorio nostro secreto fideliter retulit. Qua relatione nobis, ut praefertur, facta, et causa ipsa cum venerabilibus fratribus nostris sanctae Romanae ecclesiae cardinalibus, tunc in eodem consistorio existentibus, plenè discussa, et mature examinata, cum dilecti filii Petrus Rovilius, clericus Ippotegienensis, ac Antonius Massa de Gallezio, in dicta curia causarum, et vestrum, filii rex, et filia regina, procuratores, de quorum procuracionis mandato in actis causae hujusmodi legitimis constare dignoscitur documentis, et Alexander Paleotarius, fisci nostri procurator, pro ejus jure et interesse, et ipsius Thomae citati et non comparentis contumaciam in causa hujusmodi concludi et definitive pronunciari petiissent; nos pro tribunali in throno justitiae, more Romanorum pontificum, praedecessorum nostrorum sedentes, in causa hujusmodi conclusimus, et nostram desuper in scriptis, quam per secretarium nostrum legi et publicari mandavimus, et quam ipse de verbo ad verbum legit et publicavit, definitivam tulimus et promulgavimus sententiam, sub hujusmodi tenore: Nos Paulus, divina providentia papa quartus, salvatoris et Domini nostri Jesu Christi, cujus vices (licet immerito) in terris gerimus, nomine invocato, in throno justitiae pro tribunali sedentes, et solum Deum, qui justus est Dominus, et in justitia judicat orbem terrae, prae oculis habentes, per hanc nostram definitivam^a, quam de venerabilium fratrum nostrorum, sanctae Romanae ecclesiae cardinalium, consilio ferimus in his scriptis, in causa et causis, quae coram dilecto filio nostro Jacobo, tituli sanctae Mariae in via presbytero cardinali, de Puteo nuncupato, nobis in consistorio nostro secreto (ut moris est) referenda inter charissimos in Christo filios nostros Philippum regem, et Mariam reginam Angliae illustres, denunciatores ex una, et quendam Thomam Cranmerum, olim archiepiscopum Cantuariensem, reum et denunciatum, de, et super crimine haeresis, et aliis excessibus, censurisque et poenis propter crimen et excessus hujusmodi per dictum Tho-

mam reum denunciatum, ac confessum, et convictum incurfis, rebusque aliis in actis causae et causam hujusmodi latius deductis, ex altera parte, in prima instantia vigore specialis commissionis nostrae versae fuerunt et vertuntur, pronunciamus, sententiamus, decernimus, et declaramus dictum Thomam, tunc Cantuariensem archiepiscopum, animae suae salutis immemorem, contra regulas et dogmata ecclesiastica sanctorum patrum, necnon apostolicas Romanae ecclesiae et sacrorum conciliorum traditiones, christianaeque religionis haecenus in ecclesia consuetos ritus, praesertim de corporis et sanguinis Domini nostri Jesu Christi et sacri ordinis sacramentis aliter, quam sancta mater ecclesia praedicat et observat, sentiendo et docendo, et sanctae sedis apostolicae, et summi pontificis primatum et auctoritatem negando, necnon contra processus, qui singulis annis per praedecessores nostros in die coenae Domini, more solito, celebrati fuerunt, prout et nos, dante Domino, in futurum celebrare intendimus; in quibus processibus per Romanos pontifices praedecessores praefatos ad retinendam puritatem religionis christianae, et ipsius unitatem, quae in conjunctione membrorum ad unum caput, Christum videlicet, ejusque vicarium principaliter, et sanctam fidelium societatem ab offensione servanda consistit, inter alia Wiclefistae, et Lutherani, et omnes alii haeretici damnati et anathematizati fuerunt; etiam abjuratam olim per Berengarium, Andegavensem ecclesiae diaconum, haeresim innovando, et tam illam, quam etiam per damnatae memoriae Johannem Wiclef, et Martinum Lutherum haeresiarchas, alias proposita et damnata, falsa et haeretica dogmata credendo et sequendo; et desuper etiam libros scribendo, et imprimi faciendo, impressosque publicando, in illisque scripta, etiam in publicis disputationibus defendendo, ac etiam coram subdelegato nostro in responsionibus ad positiones sibi factas pertinaciter asseverando; ac in pertinacia et obstinatione hujusmodi permanendo, excommunicationis et anathematis, necnon privationis archiepiscopi, Cantuar. praedicti, aliorumque beneficiorum et officiorum ecclesiasticorum, si quae obtinet, et annualium pensionum, si quas super beneficiis ecclesiasticis assignatas habet, juriumque, actionum, et privilegiorum quorumcunque bonorum, quoque et seniorum ecclesiasticorum patrimonialium et secularium, necnon inhabitatis^b ad quascunque dignitates et beneficia^c, et alias contra tales personas tam de jure communi, quam per literas processuum praedictorum statutas poenas non solum tanquam credentem haeticis praedictis et illorum sequacem, sed etiam tanquam haesiarcham notorium damnabiliter incidisse et incurrisse: proptereaque ipsum Thomam excommunicatum, anathematizatum, et archiepiscopatu Cantuariensi, aliisque praelaturis, dignitatibus, officiis, et beneficiis, necnon pensionibus, juribus, privilegiis, bonis, et feudis praedictis privatum, et ad illa, ac alia quaecunque inhabilem, curiae seculari tradendum, bonaque

^a F. inferend. *sententiam*.

^b F. *inhabilitatis*.

^c F. inferend. *exercenda*.

eius per eos, ad quos spectat, confiscanda fore et esse, prout eum tradi, et ejus bona confiscari mandamus et concedimus; omnes quoque et quascunque personas Thomae praefato ratione dicti archiepiscopi Cantuariensis et aliarum praelaturarum, si quas obtinuit, et obtinet, olim subiectas, a quibuscunque fidelitatis et obedientiae iuramentis ei praestitis absolvendas, et liberandas fore et esse, prout absolvimus, et liberamus, ac iuramenta huiusmodi relaxamus; nec non super omnibus et singulis praedictis, eidem Thomae perpetuum silentium imponimus: suppletes omnes et singulos tam juris, quam facti defectus, si qui forsan in processu causae huiusmodi intervenerint, ita pronuntiavimus. Cum autem a dicta sententia, utpote in causa haeresis, et per nos de fratrum nostrorum consilio lata, appellari non potuerit; et dicti Petrus, et Antonius, et Alexander, procuratores, citato per audientiam literarum huiusmodi coram nobis praefato Thoma ad videndum decerni literas executoriales ad aliquem praelatum, qui actualem ipsius Thomae degradationem faciat, eumque curiae seculari tradat, in partibus deputari in contumaciam dicti Thomae, ut praefertur, citati, et non comparentis literas executoriales decerni, ac aliquos praelatos, qui actualem ipsius Thomae degradationem faciant, et eum curiae seculari tradant, in istis partibus deputari per nos, multa cum instantia postulaverint; nos huiusmodi iustis postulationibus annuentes, literas executoriales praedictas apostolica auctoritate decrevimus, ac vos, fratres episcopi, qui actualem ipsius Thomae degradationem faciatis, et ea facta, eum curiae seculari, praemissa tamen in ipso actu traditionis incessione ad iudicem secularem pro huiusmodi tradendis per ecclesiam solita fieri, tradatis, auctoritate et tenore praedictis deputavimus. Quapropter vos omnes, et singulos supradictos, quibus praesentes nostrae literae diriguntur, rogamus, et vobis, fratres episcopi, per apostolica scripta mandamus, et in virtute sanctae obedientiae, et sub suspensionis a divinis, et interdicti ingressus ecclesiae sententiis districtius injungimus, ut ad ulteriorem executionem sententiae nostrae praedictae procedatis. Et vos, fili rex, et filia regina, bona ipsius confiscetis, seu per eos, ad quos spectat, confiscari, et ipsum Thomam, postquam curiae seculari juxta tenorem praesentium traditus fuerit, id, quod juris fuerit, fieri mandetis et faciatis. Vos vero, fratres episcopi, vel alter vestrum, ita quod alter pro altero se non excuset, sed haec omnia in solidum sub sententiis praedictis exequamini, nec contra ea excusationem aut exceptionem apponere valeatis, auctoritate nostra, ceremoniis in similibus servari solitis plene observatis, actualem ipsius Thomae degradationem faciatis, eumque postea curiae seculari, modo ut praefertur, tradatis, contradictores per censuram ecclesiasticam, appellatione postposita, compescendo; non obstantibus constitutionibus, et ordinationibus apostolicis contrariis quibuscunque, aut si aliquibus communiter, vel divisim ab eadem sit sede indultum, quod interdicti, suspendi, vel excommunicari non possint per literas apostolicas, non facientes plenam et expressam, ac de

verbo ad verbum de indulta huiusmodi mentionem. Datum Romae apud sanctum Petrum anno incarnationis Domini, millesimo quingentesimo quinquagesimo quinto, decimo nono calendis Januarii, pontificatus nostri anno primo.

J. Bareng.

Forma degradandi archiepiscopum.

Inprimis, In publico extra ecclesiam paretur aliquis eminens locus, congruens spatii pro degradatione fienda.

Item, Supra eundem ordinetur una credentia simplici tobalea cooperta.

Item, Supra eandem credentiam ponantur ampulla vini, et ampulla aquae.

Item, Liber evangeliorum, liber epistolarum, liber exorcismorum, liber lectionum, antiphonarium.

Item, Bacile cum baculo, et mantili.

Item, Unum candelabrum cum candela extincta.

Item, Claves, forfices, cultellus, seu petia vitri.

Item, Calix cum patina.

Paramenta pro degradando.

Superpellicium, sandalia cum caligis, amictus, alba, cingulum, manipulus, tunicella, stola Dalmatica, chirothecae, alia stola planeta, mitra, annulus pontificalis, pallium, baculus pastoralis, et aliqua vestis habitus secularis.

Pro degradatore, et officialibus.

Item, Paretur faldistorium pro pontifice degradatore.

Item, Sedilia pro officialibus.

Item, Adsint ministri pontificis.

Item, Iudex secularis, cui degradatus committatur.

Item, Notarius, qui processum degradationis legat, si opus erit, vel episcopo degradatori placuerit.

Item, Barbitonsor.

Item, Hora convenienti degradandus habitu suo quotidiano indutus super dictum locum adducatur, et a clericis induatur omnibus paramentis sui ordinis.

Item, Eo sic induto, pontifex degradator indutus amictu, alba, cingulo, stola, et pluviali rubeis, ac mitra simplici, baculum pastorem in sinistra manu tenens, ascendet ad locum praedictum, et ibidem sedebit in faldistorio, in conveniente loco sibi parato versus ad populum, astante sibi iudice seculari.

Tunc degradandus omnibus sui ordinis vestibus sacris indutus, et singulis ornamentis ornatus, habens in manibus ornamentum ad ordinem suum spectans, ac si deberet in suo officio ministrare, adducitur ante pontificem, coram quo genu flectit.

Tunc pontifex degradator (sedens ut supra) populo in vulgari notificat degradationis huiusmodi causam.

Deinde contra degradandum sententiam fert in haec verba, si huiusmodi sententia lata non sit:

In nomine Patris, et Filii, et Spiritus Sancti, Amen.

Amen. Quia nos N. Dei et apostolicae sedis gratia episcopus, &c.

Degradatio ab ordine archiepiscopali.

Primo, Pallium degradator aufert a { Praerogativa pontificalis dignitatis, quae in pallio designatur, te eximimus, quia male usus es ea.

Secundo, Mitram aufert a degradando, { Mitra, pontificalis dignitatis videlicet ornatus, quia ea male praesidendo foedasti, tuum caput denudamus.

Tertio, Librum evangeliorum a degradandi manibus aufert, dicendo: { Redde evangelium, quia praedicandi officio, quo sperto, Dei gratia te indignum fecisti, te iuste privamus.

Quarto, Annulum aufert de digito degradandi, dicendo: { Annulum, fidei scilicet signaculum, tibi digne subtrahimus, quia ipsam sponsam Dei ecclesiam temere violasti.

Quinto, Baculo pastoralis per unum de ministris in manus degradandi tradito, illum aufert degradator, dicendo: { Auferimus a te baculum pastorem, ut perinde correctionis officium, quod turbasti, non valeas exercere.

Sexto, Chirothecis per ministros extractis, degradator abradit degradando pollices, et manus leniter cum cultello, aut vitro, dicendo: { Sic spiritalis benedictionis, delibutionis mysticae gratia, quantum in nobis est, te privamus, ut sanctificandi et benedicendi perdas officium et effectum.

Septimo, Caput degradandi cum eodem, aut vitro abradit degradator leniter, dicendo: { Consecrationem, et benedictionem, ac unctionem tibi traditam, radendo delemus; et te ab ordine pontificali, quo inhabilis es redditus, abdicamus.

Tum degradando per ministros extrahuntur sandalia.

Degradatio ab ordine presbyteratus.

Calice cum vino, et aqua, et patina, et hostia per ministros in manus degradandi traditis, consecrator aufert potestatem celebrandi, dicens: { Amovemus a te, quoniam potius amotam esse ostendimus, potestatem offerendi Deo sacrificium, missamque celebrandam pro vivis, quam pro defunctis.

Pollices, et manus et benedicendi, quam in abraduntur sub hac unctione manuum et pollicum recepisti, tibi tollimus hac rasura.

Casulam, five planetam per posteriorem partem capiti accipit degradator, et degradandum exuit, dicens: { Veste sacerdotali charitatem signante, te merito expoliamus, quia ipsam et omnem innocentiam exuisti.

Quarto, Stolam aufert, dicens: { Signum Domini, per hanc stolam signatum, turpiter abiecasti; ideoque ipsam a te amovemus, quem inhabilem reddimus ad omne sacerdotale officium exercendum.

Degradatio ab ordine diaconatus.

1. Libro evangeliorum degradando in manus per ministros tradito, degradator aufert librum, dicens: { Amovemus a te potestatem legendi evangelium in ecclesia Dei, quia id non competit nisi dignis.

2. Dalmaticum aufert, dicens: { Levitico ordine te privamus, quia tuum in eo ministerium non implevisti.

3. Stolam auferens de humeris degradandi, degradator projicit eam post tergum, dicens: { Stolum candidam, quam acceperas immaculatam in conspectu Domini perferendam, quia non sic, cognito mysterio, exemplum conversationis tuae fidelibus praebueris, ut plebs dicata Christi nomine possit exinde imitationem acquirere, iuste a te amovemus, omne diaconatus officium tibi prohibentes.

Degradatio ab ordine subdiaconatus.

1. Epistolarum libro degradando in manus degradandi tradito, degradator eundem aufert, dicens: { Auferimus tibi potestatem legendi epistolam in ecclesia Dei, quia hoc ministerio indignus es redditus.

2. Tunicella aufertur, dicendo: { Tunica subdiaconali te exuimus, cujus cor et corpus timor Domini castus, et sanctus in aeternum permanens, non constrinxit.

3. Manipulum aufertur, dicendo: { Depone manipulum, quia per fructus bonorum operum, quos designat, non expugnasti spiritalis infidias inimici.

4. Amictus aufertur sub hac forma: { Quia vocem tuam non castigasti, ideo amictum a te auferimus.

5. Urceolis cum vino, et aqua, et bacili, cum manutergio degradando traditis, ea aufert archidiaconus. { Et nihil dicit.

6. Calicem

6. Calicem vacuum { Potestatem introeundi
sacrarium, tangendi pal-
cum patina tradi- las, vasa, et alia indu-
tum in manus de- menta sacra, omneque
gradandi, aufert de- subdiaconatus ministeri-
gradator, dicendo: um exercendi, a te amo-
vemus.

Cingulum album et amictum exuunt mini-
stri.

Degradatio ab ordine accolytatus.

Urceolum vacuum in { Immunde, vinum, et
manus degradando aquam ad eucharistiam
traditum, aufert de- de caetero non ministres.
gradator, dicens:

Candelabrum, cum { Dimitte perferendi vi-
cereis extincto, de- sibile lumen officium, qui
gradator accipit de- praebere spirituale mori-
manibus degradan- bus neglexisti, ac univer-
di, dicens: sum accolytatus officium
hic depone.

Degradatio ab ordine exorcistatus.

Librum exorcismo- { Privamus te potestate
rum aufert ponti- imponendi manum super
fex degradator, di- energumenos, et daemo-
cens: nes de obsessis corporibus
expellendi, omni tibi ex-
orcistatus officio interdi-
cto.

Degradatio ab ordine lectoratus.

Librum lectionum { In ecclesia Dei non le-
gas ulterius, neque can-
tes; neque panes, aut fru-
aufert pontifex de- ctus novos ullatenus bene-
gradator, dicens: dicas, quia tuum offici-
um non implevisti fide-
liter et devote.

Degradatio ab ordine hostiariatus.

Claves ecclesiae aufert { Quia in clavibus errasti,
pontifex degrada- claves dimitte; et quia
tor, dicens: hostia cordis tui male dae-
monibus obscurasti, amo-
vemus a te officium hosti-
arii, ut non percutias
cymbalum, non aperias
ecclesiam, non sacrarium,
non librum amplius prae-
dicanti.

Degradatio a prima tonsura.

Auctoritate Dei omni-
potentis Patris, et Filii,
et Spiritus Sancti, ac qua
fungimur in hac parte,
tibi auferimus habitum
clericalem, et nudamus
te religionis ornatu; atque
deponimus, degradamus,
spoliamus, et exuimus om-
ni ordine, beneficio, et
privilegio clericali, et vel-
ut clericali professione in-
dignum redigimus te in
servitutem, et ignomini-
am habitus secularis, ac
status.

Eum forficibus ton-
dere incipiat pon-
tifex degradator,
et per barbitonfo-
rem ibidem prae-
sentem totaliter
tonderi faciat ca-
put degradandi,
dicens: Te velut ingratum fi-
lium a sorte Domini, ad
quam vocatus fueras, ab-
jicimus; et coronam tui
capitis, regale quidem si-
gnum sacerdotii, de tuo
capite amovemus propter
tui regiminis pravitatem.

Deinde, si velit pon-
tifex, dicat: Quod ore cantasti, cor-
de non credidisti, nec o-
pere implevisti, ideo can-
tandi officium in ecclesia
Dei a te amovemus.

Tum ministri pontificis exuunt degradatum
veste, et habitu clericali, et ipsum induunt ha-
bitu seculari.

Si degradatus tradi debeat curiae seculari,

Pontifex degradator { Denunciamus, ut hunc
degradatum am- exutum omni ordine, ac
plius non tangit, privilegio clericali, curia
sed in hunc mo- secularis in suum forum
dum pronunciat, recipiat.
dicens:

Rogat judicem secu- { Domine iudex, roga-
larem, ut citra mus vos cum omni affe-
mortis periculum, ctu, quo possumus, ut a-
etc. more Dei, pietatis et mi-
sericordiae intuitu, et no-
strorum interventu preca-
minum, miserrimo huic
nullum mortis, vel mu-
tilationis periculum infe-
ras.

Papae Rom.
PAULI IV. 1.

Archiepisc. Cant.
THO. CRANMER. 24.

Anno Christ.
1555.

Reg. Angliae
MARIAE 3.

*Commissio domini Reginaldi Poli, legati de latere, decano, et capitulo Cantuar.
facta ad dispensandum cum clericis, et absolvend. eos, ac laicos, suo nomine.*

Ex Anth. Harmer specimen of errors, p. 182. seqq. Et ex Strype's life of
Cranmer, app. p. 187.

REGINALDUS, miseratione divina sanctae
Mariae de Cosmedin sanctae Romanae ec-
clesiae diaconus cardinalis, Polus nuncupatus,
sanctissimi D. N. papae et sedis apostolicae ad

ferenissimos Philippum et Mariam, Angliae re-
ges, et universum Angliae regnum de latere
legatus, venerabilibus, ac nobis in Christo di-
lectis, decano et capitulo ecclesiae metropoli-
ticae

ticae Christi Cant. ad quos omnis et omnimoda jurisdictio spiritualis et ecclesiastica, quae ad archiepiscopum Cant. sede plena, pertinuit, ipsa sede jam vacante, notorie dignoscitur pertinere, seu eorum in spiritualibus vicario generali, salutem in Domino sempiternam. Cum sanctissimus in Christo pater dominus noster, dominus Julius, providentia divina papa tertius, inter alias facultates, pro hujus regni, omniumque personarum in ea existentium, sanctae ecclesiae reconciliatione facienda, necessarias nobis in hac nostra legatione concessas, hanc specialiter indulserit, ut quosunque in haeresium et schismatis errores lapsos, ab eis, et a quibuscunque censuris et poenis propterea incurfis, absolvere, et cum eis super irregularitate praemissorum occasione contracta, dispensare, et alia multa ad haec necessaria seu quomodolibet opportuna facere: et hoc idem munus catholicis locorum ordinariis, et aliis personis Deum timentibus, fide insignibus, et literarum scientia praeditis demandare possimus, prout in ejus literis tam sub plumbo, quam in forma brevis expeditis, plenius continetur.

Cumque Dei benignitate, et serenissimorum regum pietate regnum hoc universaliter, et omnes domini spirituales et temporales, aliaeque personae communitatum in eo, quod proxime celebratum est, parlamento congregatae, singulariter primum, et deinde universum corpus cleri provinciae Cantuariensis, et omnes fere personae singulares dictum corpus repraesentantes, coram nobis existentes, aliaeque pleraeque fuerint sanctae ecclesiae catholicae per nos ipsos reconciliatae, speremusque fore, ut omnes aliae, quae reconciliatae adhuc non sunt, reconciliari debeant; difficileque et potius impossibile sit, ut tam numerosa multitudo per manus nostras reconcilietur; ideoque vices nostras in hoc locorum ordinariis, et aliis personis ut supra qualificatis, delegandas duximus.

Circumspectioni igitur vestrae, de cujus probitate et charitatis zelo plenam in Domino fiduciam obtinemus, auctoritate apostolica nobis per literas ejusdem sanctissimi D. N. papae, et per nos vobis nunc impensa, omnes et singulas utriusque sexus, tam laicas, quam ecclesiasticas singulares, et quorumvis ordinum regulares vestrae civitatis et dioeceseos personas, seculares in quibusvis etiam sacris ordinibus constitutas, cujuscunque etiam status et qualitatis existant, etiam si capitulum, collegium, universitas, seu communitas fuerit, quarumvis haeresium et novarum sectarum professores, aut in eis culpabiles, vel suspectas, ac credentes, receptatores, et fautores ipsorum, suos errores agnoscentes, ac de illis dolentes, et ad orthodoxam fidem recipi humiliter postulantes, cognita in ipsis vera et non ficta aut simulata poenitentia, ab omnibus et singulis haeresium, et schismatis, et ab orthodoxa fide apostasiarum, et blasphemiarum, et aliorum quorumcunque similium errorum etiam sub generali sermone non venientium, peccatis, criminibus, excessibus, et delictis (de quibus tamen inquisiti, vel accusati, seu condemnati non fuerint) et quibusvis excommunicationis, suspensionis, et interdictorum, et aliis ecclesiasticis et temporalibus sententiis, censuris, et poenis in

eas praemissorum et infrascriptorum occasione, ac jure vel ab homine latis, vel promulgatis, etiam si eis pluribus annis inforduerint, et earum absolutio dictae sedi, etiam per literas in die coenae Domini legi consuetas, reservata existat, in utroque, conscientiae scilicet et contentioso foro; eos vero, qui jam inquisiti, vel accusati, aut condemnati fuerint, vel, ut praefertur, ad cor revertentes, in foro conscientiae tantum, plenarie absolventes et liberantes: necnon cum eis super irregularitate per eos occasione praemissorum contracta, etiam quia sic ligati *, missas, et alia divina officia etiam contra ritus et ceremonias hactenus probatas et usitatas celebraverint, aut illis alias se immiscuerint, contracta; quodque, irregularitate et aliis praemissis non obstantibus, in suis ordinibus, etiam si ab haereticis et schismaticis episcopis, etiam minus rite, dummodo in eorum collatione ecclesiastica forma et intentio sit servata, per eos susceptis, et in eorum susceptione etiam juramentum contra papatum Romanum praestiterint, etiam in altaris ministerio ministrare, ac quaecunque, quotcunque, ac qualiacunque etiam curata, invicem tamen se compatiencia beneficia secularia, vel regularia (dignitatibus in collegiatis ecclesiis principalibus, et in cathedralibus etiam metropolitanis post pontificalem majoribus exceptis) etiam schismaticis episcopis, seu aliis collatoribus, etiam laicalis potestatis praetextu habita, auctoritate apostolica retinere, dummodo alteri jus quaesitum non sit, et non promoti ad omnes, etiam sacros et presbyteratus ordines, a suis ordinariis, si digni et idonei reperti fuerint; rite et legitime promoveri, ac beneficia ecclesiastica, etiam curata, si eis alias canonice conferantur, recipere et retinere valeant, qualitate temporis, ministrorum defectu, et ecclesiae necessitatibus, utilitatibusque ita poscentibus, dispensandi et indulgendi, ac omnem inhabilitatis et infamiae maculam, sive notam ex praemissis quomodolibet insurgentem, penitus et omnino abolendi, necnon in pristinum, et eum, in quo ante praemissa quomodolibet erant, statum; ita ut et omnibus et singulis gratiis, privilegiis, favoribus, et indultis, quibus caeteri Christi fideles gaudent, et gaudere quomodolibet possunt, uti et gaudere valeant, in omnibus et per omnia, perinde ac si a fide catholica nunquam in aliquo defecissent, restituendi, reponendi, et redintegrandi, ac eis (dummodo corde contriti) sua errata et excessus circumspectioni vestrae, seu alicui alteri per eos eligendo catholico confessori sacramentaliter confiteantur, et poenitentiam salutarem eis pro praemissis injungendam, omnino adimpleant, omnem publicam confessionem, abjuramentum, reconciliationem, et poenitentiam jure debitas, arbitrio vestro moderandi, et in totum remittendi: necnon quosunque regulares et religiosos extra eorum regularia loca absque sedis apostolicae licentia vagantes, ab apostasiae reatu, aliisque censuris et poenis ecclesiasticis per eos propterea, etiam juxta suorum ordinum instituta, incurfis, injuncta eis pro modo culpa poenitentia salutari, pariter absolvendi; et super quacunque irregularitate propterea per eos contracta, aut cum eis, ut alicui curato beneficio de illius obtinentis consensu, in habitu clerici secularis, ha-

* Anth. Harmer legit *legati*.

bitum suum regularem sub honesta toga presbyteri secularis deferendo deservire, et extra eadem loca regularia remanere ad beneplacitum nostrum libere et licite possint, eadem auctoritate apostolica, ob defectum ministrorum, et alias praedictas causas, dispensandi; ac quoscunque, qui in sacris ordinibus constituti, matrimonia etiam cum viduis et corruptis mulieribus de facto contraxerint, postquam mulieres sic copulatas rejecerint, illisque abjuraverint, ab huiusmodi excessibus et excommunicationis sententia, imposita eis pro modo culpae poenitentia salutaris in forma ecclesiae consueta, absolventi, ac cum eis, postquam poenitentiam peregerint, et continenter et laudabiliter vivere cogniti fuerint; super bigamia propterea per eos contracta, ita ut, ea non obstante, in quibusvis susceptis et suscipiendis ordinibus, etiam in altaris ministerio ministrare, ac alicui beneficio ecclesiastico, de illius obtinentis consensu, deservire, extra tamen dioecesim, in qua fuerint copulati, eisdem de causis dispensandi: necnon parochialium ecclesiarum tuae dioecesis rectores sive curatos, de quorum fide, probitate, circumspectione, et charitatis zelo plena fiducia concipi potest, ad quarumcunque utriusque sexus suae parochiae, personarum laicarum tantum,

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Instructiones praecedenti commissioni a cardinale Polo annexae. Ibidem.

SINGULI domini episcopi, necnon officiales ecclesiarum, quae nunc vacant, pro executione eorum, quae a reverendissimo domino legato sunt eis demandata, ordinem, qui infra scriptus est, poterunt observare.

Primum, vocatum ad se totum singularum civitatum, quibus singuli praesunt, clerum, de hiis, quae sequuntur, instruere procurabunt.

De paterno amore et charitate, quam sanctissimus D. N. Julius, papa tertius, erga nationem Anglicam declaravit, qui, ut primum cognovit serenissimam Mariam reginam fuisse declaratam, reverendissimum dominum Reginaldum cardinalem Polum de suo latere, ad has partes legatum misit, ut regnum hoc, tot jam annos ab ecclesia catholica separatum, ad ejus unionem reducere, et in errores lapsos consolari, atque in Dei gratiam restituere studeret.

De ejusdem domini legati adventu; quanta laetitia atque honore is acceptus fuit tum a serenissimis regibus, tum ab aliis omnibus.

De hiis, quae in proximo parlamento acta et conclusa sunt; scilicet de omnibus dominis, de parlamento et universo regno a schismate et censuris incurtis absolutis, et ecclesiae catholicae reconciliatis; de omnibus legibus, quae contra auctoritatem sedis apostolicae et Romani pontificis fuerunt per Henricum VIII. et Edwardum VI. latae et promulgatae, revocatis et abolitis. De restituta sanctissimo D. N. papae et ecclesiae Romanae eadem obedientia, quae ante hoc perniciosissimum schisma praestabatur. De auctoritate episcopis restituta; et maxime ut possint contra haereticos et schismaticos procedere, et

absolutionem, et ecclesiae catholicae reconciliationem (ut praefertur) auctoritate apostolica faciendam. Et si qui ex curatis praedictis ad id idonei non fuerint, in eorum defectum alias idoneas et sufficientes personas, quae eorum vices suppleant, nominandi et deputandi: quos sic per vos nominatos et deputatos, in locum nostrum in praemissis absolutionibus et reconciliationibus substituimus, eisque vices nostras subdelegamus, plenam et liberam, auctoritate apostolica nobis (ut praemittitur) concessa, tenore praesentium concedimus facultatem; vosque in praemissis omnibus in nostrum locum substituimus; praemissis, ac regula de inordinatis edita, et quibusvis aliis constitutionibus et ordinationibus apostolicis, et omnibus illis, quae in literis praedictis sanctitas sua voluit non obstare, contrariis non obstantibus quibuscunque; praesentibus in praeteritis casibus locum habentibus, et ad beneplacitum nostrum duraturis. Datum Lambethi prope Londinum, Wintoniensis dioecesis, anno a nativitate Domini M.D.LV. idibus Februarii, pontificatus sanctissimi in Christo patris et domini nostri, domini Julii, divina providentia papae tertii, anno quinto.

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eos juxta canonicas sanctiones coercere et punire.

His ita expositis, veniant ad facultates sibi ab eodem reverendissimo domino legato concessas, quae recitentur. Et hic omnes, qui in schisma et alios errores lapsi sunt, invitentur ad absolutionem, et reconciliationem humiliter ex toto corde petendam, necnon et dispensationes tam super ordinibus, quam super beneficiis necessarias et opportunas postulandas. Deinde praefigatur dies, intra quem dicti de clero humiles et poenitentes compareant ad petendam suppliciter absolutionem, reconciliationem, et dispensationes praedictas.

Iidem vero domini episcopi, postquam illi omnibus erroribus suis renunciaverint, et promiserint sacramentaliter ipsis aut alteri sacerdoti catholico, confessuros esse errores suos, et poenitentiam sibi injungendam adimpleturos, eos absolvent, et ecclesiae reconciliabunt, et cum ipsis juxta formam facultatum, pro poenitentium necessitatibus, prout sibi visum fuerit, dispensabunt; adhibendo semper convenientem distinctionem inter eos, qui solum in schisma et haereses inciderunt, et eos, qui etiam eas publice docuerunt, et alios ad peccandum induxerunt.

Eodem die constituatur dies festus et solennis, in quo, adstante in ecclesia populi multitudine, domini episcopi, et omnes curati in ecclesiis suis omnia eadem, quae clero jam exposita fuerunt, populo quoque insinuabunt, et omnes invitabunt paterne et cum omni affectu, ut, agnitis erroribus suis, ad ecclesiae catholicae

tholicae gremium revertantur, promittendo fore, ut omnibus praeterita crimina omnia condonentur et remittantur, modo eos ex animo illorum poeniteat, et illis renuncient. Praefigatur autem terminus, utputa tota Paschatis octava, intra quem terminum omnes ecclesiae reconcilientur; alioquin eo lapso, contra ipsos, et eos etiam, qui post reconciliationem ad vomitum reversi fuerint, severissime procedetur. Dicatur de facultate concessa a reverendissimo domino legato episcopis et aliis, ut absolvere possint omnes, quicunque ad cor reversi fuerint.

Idem domini episcopi et officiales nominabunt et deputabunt ecclesiarum parochialium rectores, seu alias personas idoneas, quae laicos ab haeresi et schismate et quibuscunque censuris absolvant juxta facultatum formam et tenorem; data per episcopos formula, qua in absolutione et reconciliatione uti debeant.

Eadem poterunt cum clero totius dioeceseos observari, prout commodius visum fuerit. Domini episcopi, et officiales praefati, necnon omnes curati, seu alii ad id deputati, habeant librum, in quo nomen et cognomen, et parochia omnium reconciliatorum inscribantur, ut postea sciatur, qui fuerint reconciliati, et qui non.

Idem domini episcopi et officiales, octava Paschatis elapsa, poterunt facere visitationem civitatis primo, dein dioeceseos. Et si qui non fuerint reconciliati, poterunt ad se eos vocare,

et cognoscere causas, propter quas ab erroribus suis nolunt recedere. Et si in eis obstinate perseveraverint, tum contra eos procedent.

In hac facienda visitatione attendant diligenter, quae in hoc brevi compendio sunt notata, et maxime faciant, ut omnes ecclesiasticae personae ostendant titulos suorum ordinum et beneficiorum; ut si in iis aliquis alius defectus notetur, illis provideant, et omni studio procurent, ut errores, quibus dioeceses eorum sunt infectae, extirpentur, et veritas fidei tum in concionibus, tum in confessionibus doceatur, deputando personas idoneas ad conciones faciendas, et confessiones audiendas. Id etiam curent, ut sacrorum canonum instituta in omnibus observentur, et nomen divi Thomae martyris, necnon sanctissimi domini nostri papae ex libris dispunctum, in illis restituatur, et pro eo secundum morem ecclesiae, ut ante schisma fiebat, oretur.

In publicationibus hujusmodi erit ante omnia facienda commemoratio miseriarum et infelicitatis praeteritorum temporum, et magnae gratiae, quam nunc Deus pro sua misericordia populo huic exhibuit; hortando omnes ad haec grato animo agnoscenda, et infinitas gratias divinae ipsius bonitati assidue agendas.

Hortandi sunt etiam omnes, ut devote orent Deum pro salute et felici statu horum serenissimorum, et de hoc regno optime meritum, ac merentium regum, et specialiter pro felici partu serenissimae et piissimae reginae.

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Facultas curatis, et aliis ecclesiasticis personis per ipsos idoneis cognitis et nominatis, per dominum legatum concessa est infrascripta. Ex Harmer l. c. p. 191.

UT ipsi omnes et singulas utriusque sexus laicas suae parochiae personas, quarumvis haesum, aut novarum sectarum professores, aut in eis culpabiles vel suspectas, ac credentes, receptatores, et fautores eorum suos errores agnoscetes, et de illis dolentes, et ad orthodoxam fidem recipi humiliter postulantes, cognita in eis vera et non ficta aut simulata poenitentia, ab omnibus et singulis haesum, schismatis, et ab orthodoxa fide apostatarum et blasphemiarum, et aliorum quorumcunque errorum etiam sub generali sermone non venientium, peccatis, criminibus, excessibus, et delictis, de quibus inquisiti, vel accusati, seu condemnati non fuerint; et cum his etiam in foro conscientiae tantum, et quibusvis excommunicationis, suspensionis, et interdictorum, et aliis ecclesiasticis et temporalibus censuris, sententiis, et poenis in eos praemissorum occasione a jure vel ab homine latis vel promulgatis, etiam si in eis pluribus annis inforuissent, et earum absolutio apostolica sedi et in die coenae Domini per literas legi consuetas, reservata existat, injuncta eis pro modo culpae poenitentia salutari, auctoritate apostolica in forma ecclesiae consueta absolvere, et illos unitati ecclesiae catholicae restituere; ac omnes solennitates, quae in hujusmodi absolutionibus de jure vel consuetudine solent adhiberi, ratione multitudinis, arbitrio suo in partem vel in totum remittere, secumque super quacunque irregularitate praemissorum occasione contracta, dispensare possint et valeant; praemissis, ac regula de inforuissent edita, et quibusvis aliis constitutionibus et ordinationibus apostolicis etiam in die coenae Domini legi consuetis, caeterisque contrariis quibuscunque non obstantibus.

Formula absolutionis.

DOMINUS noster Jesus Christus, summus pontifex, per suam, piissimam misericordiam et clementiam vos cruore suo pretiosissimo redemptos, de ineffabili sua pietate ab omnibus peccatis per vos commissis misericorditer absolvat. Et ego auctoritate apostolorum divi Petri et Pauli, ac sedis apostolicae mihi commissa, vos et vestrum quemlibet ab omnibus peccatis, criminibus, ex-

cessibus, et delictis, atque ab omni haeresi, schismate, apostasia, irregularitate, et quocunque errore vestris; necnon a juramento contra papatum Romanum per vos praestito; et a quibuscunque excommunicationis, suspensionis, et interdictorum, et aliis sententiis, censuris, et poenis ecclesiasticis a jure vel ab homine latis, per vos ratione praemissorum incur-

sis,

sis, et contractis, absolvo; ac communioni fidelium, et S. sanctis Dei ecclesiae sacramentis re-

stituo, reduco, et redintegro. In nomine Patris, et Filii, et Spiritus Sancti. Amen.

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Archiepisc. Cant.
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King Philip and queen Mary's writ for burning of Cranmer. Ex Rot. pat. 2. et 3. Phil. et Mar. 2. part. apud Burnet hist. reform. vol. II. append. p. 300.

Philip and Mary, etc.

TO our right trusty Nicholas, archbishop of York, lord chancellor of England, greeting. We will and command you, that immediately upon the sight hereof, and by warrant of the same, ye do cause to be made a writ for the execution of Thomas Cranmer, late archbishop of Canterbury; and the same so made, to seal with our great seal of England, being in your custody, according to the tenor and form hereafter following.

Philippus et Maria, Dei gratia, etc. majori et ballivis civitatis Oxon. salutem. Cum sanctissimus pater noster Paulus, papa ejusdem nominis quartus, per sententiam diffinitivam, juris ordine in ea parte requisito in omnibus observato, et juxta canonicas sanctiones judicialiter et diffinitive Thomam Cranmer, nuper Cantuariensem archiepiscopum, fore haeresiarcham, anathematizatum, et haereticum manifestum, propter suos varios nefandos errores, manifestas et damnales haereses, et detestandas et pessimas opiniones fidei nostrae catholicae, et universalis ecclesiae determinationi obviantes et repugnantes, et praedict. Thomam Cranmer multis modis contract. commiss. dict. affirmat. perpetrat. et publice et pertinaciter tent. et defens. judicavit, declaravit, pronunciavit, et condemnavit; et eadem causa idem sanctissimus pater noster, papa Paulus quartus, judicialiter et diffinitive, more solito, praedictum Thomam Cranmer a praedicto archiepiscopatu, aliis praelaturis, dignitatibus, officiis, et beneficiis deprivavit, et abjudicavit, prout cunctam inde habemus notitiam: cumque etiam reverendus in Christo pater Edmundus, Londini episcopus, et Thomas, Eliensis episcopus, auctoritate ejusdem sanctissimi nostri patris papae praedictum Thomam Cranmer ab omni ordine, gradu, officio, et dignitate ecclesiastica, tanquam haeresiarcham et haereticum manifestum, realiter degradaverunt, vigore

cujus idem Thomas Cranmer in praesenti haereticus et haeresiarcha juste, legitime, et canonice judicatus, condemnatus, et degradatus existit; et cum etiam mater ecclesia non habet, quod ulterius in hac parte contra tam putridum et detestabile membrum et haeresiarcham faciat, aut facere debeat; iidem reverendi patres eundem Thomam Cranmer damnatum haereticum, et haeresiarcham, brachiis et potestati nostris secularibus tradiderunt, commiserunt, et reliquerunt, prout per literas patentes eorundem reverendorum patrum superinde confect. nobis in cancellaria nostra certificatum est: nos igitur, ut zelatores justitiae, fidei catholicae defensores, volentesque ecclesiam sanctam, ac jura et libertates ejusdem, ac fidem catholicam manutenere et defendere, hujusmodi haereses et errores ubique, quantum in nobis est, eradicare et extirpare, et praedictum Thomam haeresiarcham ac convictum, damnatum et degradatum, animadversione condigna punire; attendentesque hujusmodi haereticum et haeresiarchum in forma praedicta convictum, damnatum, et degradatum, juxta leges et consuetudines regni nostri Angliae in hac parte consuetas, ignis incendio comburi debere; vobis praecipimus, quod dictum Thomam Cranmer in custodia vestra existent. in loco publico et aperto, infra libertatem dictae civitatis nostrae Oxon. ex causa praedicta, coram populo igni committi, ac ipsum Thomam Cranmer in eodem igne realiter comburi facietis, in hujusmodi criminis detestationem, aliorum christianorum exemplum manifestum: et hoc sub poena et periculo incumbente, ac prout nobis subinde respondere volueritis, nullatenus omittatis. Test. nobis ipsis apud Westmonasterium vicesimo quarto Februarii, annis regis et reginae secundo ac tertio.

And this bill, signed with the hand of us the said queen, shall be your sufficient warrant and discharge for the same.

The king and queen's commission for repressing of heresies and false rumours. Ex reg. Exon. Truberville fol. 6.

PHILIP and Mary, by the grace of God king and queen of England, France, Naples, Jerusalem, and Ireland, defenders of the faith, princes of Spain, and Sicily, archdukes of Austria, dukes of Milan, Burgundy, and Brabant, counts of Haspurge, Flanders, and Tirol, to the reverend father in God James, bishop of Exon. and to our trusty and well beloved John Whiddon knight, Thomas Dennis knight, Thomas Reynolds clerk, dean of the cathedral church of Exeter, John Prideaux, serjeant at law, John Ridgway, John Blaxton clerk, vicar general to the said bishop, John Rixman

clerk, Thomas Sothern clerk, Edmund Stire Esq; Robert Cary, James Courtney, John Arundell of Lanhern, knight, Hugh Trevanion knight, Thomas Seyntabyn Esq; Lawrence Traves clerk, John Grandevill clerk, Richard Roscarock, John Moybe, Robert Smith the younger, Robert Trencrock, William Isham, Esqrs; Robert Yendall clerk, Morice Lewermore, mayor of our said city of Exeter, James Copham Esq; William Hurst, John Blackaller, William Buckingham, William Smyth, aldermen of the said city, Walter Staplehill, and John Petre, citizens of the city of Exeter aforesaid,

aforesaid, greeting. Forasmuch as divers devilish and clamorous persons, having not only invented, bruited, and set forth divers false rumours, tales, and seditious slanders against us, but also fown divers heresies and heretical opinions, and set forth divers seditious books within this our realm of England, meaning thereby to move, procure, and stir up division, strife, contention, and sedition not only amongst our loving subjects, but also between us and our said subjects, with divers other outrageous misdemeanors, enormities, contempts, and offences daily committed and done to the disquieting of us and our people. We minding and intending the due punishment of such offenders, and the repressing of such like offences, enormities, and misbehaviors from henceforth, and having spiritual trust and confidence in your fidelities, wisdoms, and discretions, we have authorized, appointed, and assigned you, to be our commissioners; and by these presents do give full power and authority unto you, or three of you, whereof you the said bishop, Thomas Reynolds, John Blaxton, John Rixman, Thomas Sothern, Lawrence Traves, John Grandevill, or Robert Yendall, to be one, to enquire as well by the oaths of twelve good and lawful men, as by witnesses, and all other means and politic ways ye can devise, of all and singular heresies, heretical opinions, lollardies, heretical and seditious books, conspiracies, and confederacies; as also to enquire of all false rumours, tales, seditions, slanders, words or sayings raised, published, bruited, invented, or set forth against us, or either of us, or against the quiet governance or rule of our people and subjects, by books, letters, or otherwise, in any place or places within the diocese of Exon. as well within liberties, as without, and of the bringers in, utterers, buyers, sellers, readers, keepers, or conveyers of any such letter, book, rumour, or tale, and of all and every the coadjutors, counsellors, comforters, procurers, abettors, and maintainers; giving to you, and three of you, whereof you the said bishop, Thomas Reynolds, John Blaxton, John Rixman, Thomas Sothern, Lawrence Traves, John Grandevill, or Robert Yendall to be one, full power and authority by vertue hereof to search out, and take into your hands and possession all manner of heretical and seditious books, letters, and writings, wheresoever they or any of them shall be found, as well in printers houses, or shops, as elsewhere within the said diocese; and also to enquire, hear and determine all and singular enormities, disturbances, misbehaviours, misdemeanors, and negligences done, suffered, or committed in any church, chapel, or other hallowed place, within the same diocese: and also for and concerning the taking away, or withholding of any goods, ornaments, or stocks of money belonging to any of the same churches or chapels, and the accompts concerning the same. And also, to enquire and search out all such persons, as do obstinately refuse to be confessed, to receive the blessed sacrament of the altar, to hear mass, or come to the parish

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churches, or other convenient places appointed for divine service, or to use and obey the ceremonies appointed for the church, wheresoever any of the said offences or negligences have been, or hereafter shall be committed within the said diocese, and to hear and determine the same, and all other offences and negligences above specified and rehearsed, according to your wisdoms, consciences, and discretions. Willing and commanding you, and every three of you, whereof always you the said bishop, Thomas Reynolds, John Blaxton, John Rixman, Thomas Sothern, Lawrence Traves, John Grandevill, or Robert Yendall to be one, from time to time to use and devise all such politic ways and means for the tryal and searching out of the same, as by you, or three of you, whereof ye the said bishop, Thomas Reynolds, John Blaxton, John Rixman, Thomas Sothern, Lawrence Traves, John Grandevill, or Robert Yendall to be one, shall be thought most expedient and necessary; and upon enquiry and due proof had, known, perceived, and tried out, by the confession of the parties, or by sufficient witnesses before you, or three of you, whereof ye the said bishop, Thomas Reynolds, John Blaxton, John Rixman, Thomas Sothern, Lawrence Traves, John Grandevill, or Robert Yendall to be one, concerning the premises, or any part thereof, to give and award such condign punishment to the offenders by fine or imprisonment, as to your wisdoms, or three of you, whereof you the said bishop, Thomas Reynolds, John Blaxton, John Rixman, Thomas Sothern, Lawrence Traves, John Grandevill, or Robert Yendall to be one, shall be thought meet and convenient. Further willing and commanding you, or three of you, whereof ye the said bishop, Thomas Reynolds, John Blaxton, John Rixman, Thomas Sothern, Lawrence Traves, John Grandevill, or Robert Yendall to be one, in case ye shall find any person or persons obstinate or disobedient, either in the appearance before you, or three of you, at your calling or assignment; or else in not accomplishing or not obeying your directions or commandments in any thing or things, touching the premises, or any part thereof, to commit the same person or persons, so offending, to ward, there to remain till they be by you, or three of you, whereof you the said bishop, Thomas Reynolds, John Blaxton, John Rixman, Thomas Sothern, Lawrence Traves, John Grandevill, or Robert Yendall to be one, enlarged, and set at liberty. And we give to you, and every three of you, whereof ye the said bishop, Thomas Reynolds, John Blaxton, John Rixman, Thomas Sothern, Lawrence Traves, John Grandevill, or Robert Yendall to be one, full power and authority by these presents, to take and receive by your discretions of every offender and suspected person, to be convented or brought before you, a recognisance or recognisances, obligation or obligations, to our use of such sum or sums of money, as to you, or three of you, whereof ye the said bishop, Thomas Reynolds, John Blaxton,

O o

John

John Rixman, Thomas Sothern, Lawrence Traves, John Grandevill, or Robert Yendall to be one, shall seem convenient, as well for the personal appearance before you of every such suspect person, in case you shall so think convenient, as for the sure and true payment of all and every such fine and fines, as shall hereafter be by you, or three of you, as afore, taxed or assessed upon any offender, that shall be before you, or three of you duly convened, as is afore said; to our use to be paid, at such days and times, as by you, or three of you, as afore, shall be stated, limited, or appointed. And you to certify every such recognisance and obligation, so being taken, for any fine or fines, as is afore said, under your hands and seals, or the hands and seal of three of you, whereof ye the said bishop, Thomas Reynolds, John Blaxton, John Rixman, Thomas Sothern, Lawrence Traves, John Grandevill, or Robert Yendall to be one, into our court of chancery, to the intent we may be thereof duly answered as appertaineth. And furthermore we give to you and three of you, whereof ye the said bishop, Thomas Reynolds, John Blaxton, John Rixman, Thomas Sothern, Lawrence Traves, John Grandevill, or Robert Yendall to be one, full power and authority by these presents, not only to call before you all and every offender and offenders, and all and every suspect person or persons, in any of the premises, but also all such and so many witnesses, as ye shall think meet to be called; and them and every of them to examine and compel to answer, and swear upon the holy evangelists to declare the truth in all such things, whereof they, or any of them shall be examined, for the better tryal, opening, and declaration of the premises, or any part thereof: willing and commanding you, and every of you, that in case any such matters shall arise or come in examination before you, which for the great importance, difficulty, or other consideration to you appertaining, you by your discretions shall think not meet to be determined by you; that then in every such case you refer the same to the order and discretion of the reverend father, the bishop of London, and other his colleagues, who having a more large commission of us, we doubt not upon your certificate, will hear, examine, and determine the same, as shall appertain. And further our will and pleasure is, that you, or three of you,

whereof you the said bishop, Tho. Reynolds, John Blaxton, John Rixman, Tho. Sothern, Lawrence Traves, John Grandevill, or John Yendall to be one, by bill signed by your hands, or the hands of three of you, as afore, shall and may give and make allowance and payment of such fines, as shall be assessed and taken before you, or three of you, as afore, as well to such, as by your commandments shall travel or take pains for us about the premises, or any part thereof; and also for and about the entering and certifying of such recognisance, obligations, or other writings to be made for the execution of this our commission. Wherefore we will and command you with diligence to give your attendance; and to execute the premises with effect; any of our laws, statutes, proclamations, or other grants, privileges, or ordinances, which be, or may seem to be contrary to the premises, notwithstanding. And moreover we will and command all and singular justices of peace, mayors, sheriffs, bailiffs, constables, and all other our officers, ministers, and faithful subjects to be aiding, helping, and assisting you at your commandment in the due execution hereof, as they tender our pleasure, and will answer to the contrary at their uttermost perils. And we will and grant, that these our letters patents shall be a sufficient warrant and discharge for you, and every of you against us, our heirs and successors, and all and every other person or persons whatsoever they be, of, for, or concerning the premises, or any parcel thereof, for the execution of this our commission, or any part thereof. And we will that this our commission shall in no ways be prejudicial, hindrance, or revocation to, or of our former commission, heretofore made or granted to the said reverend father in God, the bishop of London, and other for the like purposes and intents aforementioned; but that the same, and every article therein contained, shall stand, remain, and be in like force and effect to all intents and purposes, as it was before the making hereof; the same, or any thing therein contained notwithstanding. In witness whereof we have caused these our letters of commission to be sealed with our great seal. Witness ourselves at Westminster the 16th. day of February, the second and third years of our reigns.

Papae Rom.
PAULI IV. I.

Archiepisc. Cant.
REGIN. POLI I.

Anno Christi
1556.

Reg. Angliae
MARIAE 3.

Synodus provincialis Cantuariensis.

SYNODUS provincialis Cantuar. jussu reverendissimi ad 10. diem mensis Octobris

continuata, non multo post ad 10. diem Maii anni sequentis prorogabatur.

Bulla

Papae Rom.
PAULI IV. I.

Archiepisc. Cant.
REGIN. POLI I.

Anno Christi
1556.

Reg. Angliae
MARIAE 3.

Bulla Pauli IV. papae ad orand. pro pace inter principes christianos. Ex reg.
Pole fol. 18. a.

REGINALDUS, miseratione divina tituli sanctae Mariae in Cosmedin sanctae Romanae ecclesiae presbyter cardinalis, Polus nuncupatus, Cantuar. archiepiscopus, totius Angliae primas, et apostolicae sedis legatus natus, etc. venerabili confratri nostro domino Edmundo, London. episcopo, ejusve in spiritualibus vicario generali, sive officiali principali cuicunque, salutem, et fraternam in Domino charitatem. Bullam plenariae indulgentiae sanctissimi in Christo patris et domini nostri, domini Pauli, divina providentia papae quarti, sub plumbo filis sericis impendentibus, modo Romanae curiae bullatam, dat. Romae apud sanctum Petrum anno incarnationis dominicae M.D.LV. octavo idus Martii, pontificatus sui anno primo, nuper cum ea, qua decuit, reverentia et obedientia humiliter recepimus, tenorem subscript. in se continentem. Paulus episcopus, servus servorum Dei, universis et singulis Christi fidelibus praesentes literas inspecturis, salutem, et apostolicam benedictionem. Ab initio pontificatus nostri cum videremus totam rempublicam christianam bellorum turbinibus labefactari, id inprimis Deum precati sumus, ut liceret nobis pacem aliquando inter principes christianos aliqua ratione sperare, qua, sedatis eorum discordiis, divinis beneplacitis liberius vacare, et gregem dominicum nostrae curae commissum, ad semitas justitiae efficacius reducere valeremus. Verum cum jam nobis aliqua spes elucescat, qua induciae inter ipsos principes iniri posse videntur; existimavimus, si unquam faciend. fuit, hoc praesertim Deo acceptabili ac salutis tempore ad Dominum nostrum Jesum Christum recurrendum esse, et ab eo summis precibus contendend. ut praedictis principibus non solum inducias ineund. sed etiam perpetuam pacem inter se firmandi, mentem et animum impartiri dignetur. Quare considerantes, omnipotentem Deum id, quod interdum unius precibus non concedit, multiplicatis intercessoribus saepe largiri; et sacris literis edocti, jejunio et fletu ac orationibus in pura fide et sincera charitate exhibitis, Dei iram averti et ejus gratiam comparari consuevisse, auctoritate apostolica nobis desuper concessa, ex parte omnipotentis Dei, et per viscera illius misericordiae omnes et singulos utriusque sexus Christi fideles seculares et ecclesiasticos, etiam cujusvis ordinis regulares et reclusos, ac in communi viventes per universum orbem existentes, hortamur, et in Domino requirimus, ut infra triduum post publicationem praesentium, tam in alma urbe nostra, quam in quibuscunque aliis civitatibus, terris, et locis ipsius^a urbis factam, seu postquam eadem praesentes literae ad eorum notitiam pervenerint, ad ipsum Dominum nostrum Jesum Christum humili corde conversi, conscientiam suam

diligenti studeant examinatione discutere, et purissimam omnium peccatorum suorum confessionem facere; ac ultragenerale praesentis Quadragesimae jejunium, orationibus et eleemosynarum erogationibus, seu aliis piis operibus, juxta eorum conscientiam, sive sacerdotum, quibus peccata sua confitebuntur, salutare consilium, vacare; necnon illi, quibus praesentes post proximum festum Paschatis resurrectionis dominicae innotescant, etiam ultra praemissa quarta et sexta feriis, necnon sabbato immediate sequentibus, si in aetate legitima constituti fuerint, et justo impedimento detenti non sint, jejunare, et tam illi, quam alii supradicti eidem Jesu Christo Deo ac Domino nostro supplicare, precibusque ac fletu ad ejus sanctissimos pedes provoluti petere et rogare, ut eisdem principibus, atque omni fidei populo miseriarum calamitatumque finem, et concordiam, ac pacem largiri velit; dominica vero deinceps sequenti sacratissimam eucharistiae communionem pie et devote percipiant, ac quae ad pietatem, charitatem, et castitatem pertinent, toto pectore atque animo exerceant, quo magis ejusdem Dei et Domini nostri clementissimi misericordiam promoveant. Utque id purius et commodius facere possint, Christi fidelibus supradictis, ut hac vice tantum confessorem eligere valeant, presbyterum secularem, seu cujusvis ordinis regularem, qui, eorum confessione diligenter audita, eos et eorum quemlibet a quibuscunque peccatis quantumcunque gravibus et enormibus, etiam sedi apostolicae reservatis, et in bulla, quae in die coenae Domini legi consuevit, contentis, ac censuris, quas propterea incurrerint, injuncta inde eis pro modo culpa poenitentia salutari, absolvere, et vota quaecunque per eos emissa (Jerosolimitan. ac castitatis et religionis votis duntaxat exceptis) in alia pietatis opera commutare possit, dicta auctoritate concedimus et indulgemus; omnibus nihilominus Christi fidelibus supradictis pro particularis poenitentiae satisfactione in remissionem peccatorum suorum specialiter injungentes, ut tam in dominica communionem, quam in triduo orationum seu eleemosynarum, et piorum operum ac jejunii hujusmodi, orationem dominicam et salutationem angelicam quinquies devote recitent. Nos enim omnibus et singulis Christi fidelibus praedictis, qui praemissa adimpleverint, de omnipotentis Dei misericordia, et apostolorum beatorum ejus auctoritate et meritis confisi, plenissimam peccatorum suorum remissionem, et eam, quae Christi fidelibus ecclesias dictae urbis et extra eam ad id deputatas, anno Jubilaei concessa est, misericorditer in Domino elargimur. Et ut haec omnia ad cunctorum notitiam perveniant, et misericors Dominus a pluribus exoretur, omnibus venera-

^a F. orbis.

bilibus fratribus nostris, patriarchis, archiepiscopis, episcopis, et aliis ecclesiarum praelatis, in virtute sanctae obedientiae districte praecipiendo mandamus, ut praesentes literas, seu earum transumptum manu alicujus praelati seu personae in dignitate ecclesiastica constitutae subscriptum, cui omnimodam fidem adhiberi volumus, ubique per eorum provincias, civitates, et dioec. gratis et absque ulla fraude vel quaestu publicent, et publicari faciant cum effectu; non obstantibus constitutionibus et ordinationibus apostolicis, caeterisque contrariis quibuscunque praesentibus post dominicam supradictam minime valituris. Dat. Romae apud sanctum Petrum anno incarnationis dominicae M.D.LV. octavo idus Martii, pontificatus nostri anno primo. Nos summopere cupientes, omnes et singulos utriusque sexus personas infra nostrae legationis de latere fines degentes, hujus gratiosissi-

mae munificentiae participes fieri, animarum suarum saluti prospicientes, ac contentorum in dicta bulla scientiam ad earum certam et indubitam notitiam pervenire; cum ea, qua poteritis, matura celeritate, bullam hujusmodi non solum decano et capitulo et caeteris ministris plebique et populo dioec. vestrae London. verum etiam omnibus et singulis aliis charis confratribus coepiscopis nostris, nostrae Cant. provinciae suffraganeis, juxta et secundum formam, tenorem, et effectum bullae praedictae in omnibus et per omnia publicetis, denunciatis, et declaratis, seu sic publicari, denunciari, et declarari faciatis, prout decet. In cujus rei testimonium sigillum nostrum praesentibus apponi fecimus. Dat. in manerio nostro de Lambeth, Winton. dioec. vicesimo octavo die mensis Aprilis, anno Domini M.D.LVI et nostrae translationis anno primo.

Papae Rom.
PAULI IV. 2.

Archiepisc. Cant.
REGIN. POLI I.

Anno Christi
1556.

Reg. Angliae
MARIAE 4.

Electio card. Poli in cancellar. universitatis Oxon. Ex. reg. Pole fol. 22. a.

UNIVERSIS Christi fidelibus has literas nostras visuris, lecturis, sive audituris, universitatis Oxon. cancellarius natus, ad quem omnis et omnimoda potestas et jurisdictio ad ipsum cancellarium existentem et electum pertinens, nunc ejus officio vacante, evidenter pertinere dignoscitur; necnon alii omnes et singuli supradictae universitatis doctores et magistri, salutem in auctore salutis, ac fidem indubiam praesentibus adhibere. Cum sui ordinis vir ornatissimus de academia nostra, turbulentis et iniquis schismatis temporibus insigniter meritis, Johannes Masonus, nuper noster cancellarius, literis suis ad totam academiam scriptis sigilloque suo munitis, pure, sponte, simpliciter, et ultro cancellarii muneri et officio cesserit, totumque jus suum et titulum in eodem penitus resignaverit et dimiserit; vobis per haec scripta significand. et patefaciend. duximus, quod nos antedictus cancellarius natus, caeterique doctores et magistri, ad quos hujus electionis negotium spectat, vicesimo sexto die Octobris legitime juxta veterum statutorum in ea parte editorum formam et antiquam consuetudinem, in ecclesia beatae Mariae, et loco ibidem ad hujusmodi magnam regentium et non regentium congregationem specialiter deputato et destinato convenimus; ibique post literarum lectionem et acceptam resignationem hujusmodi, quia diuturna ejus officii vacatio multa possit inferre studiis et moribus dispendia, celeriter academiae nostrae suo capite et rectore (a quo morum integritas, studiorum profectus, totius denique corporis quies et tranquillitas pendet) destitutae et orbatae prospiciend. et consulend. duximus. Porro eisdem ipsis die et loco, diligenti tractatione et matura deliberatione praemissa, communi consilio, unanimi consensu, concordibus votis et suffragiis omnium facultatum, reverendissimum

in Christo patrem ac dominum, dominum Reginaldum, miseratione divina tituli sanctae Mariae in Cosmedin, sanctae Romanae ecclesiae presbyterum cardinalem, Polum nuncupatum, et apostolicae sedis non solum legatum natum, verum etiam in et per universum Angliae regnum ad serenissimos Philippum et Mariam, Angliae reges, de latere legatum, olim praedictae academiae alumnum gratissimum, nunc vero totius regni decus, et ecclesiae Anglicanae singulare columen, qui indefessa cura, assidua cogitatione, anxia et paterna sollicitudine, foeda vitiorum, et errorum portenta evellendo, veterem disciplinam suo vigore restituendo, incorruptos mores, solidamque doctrinam instaurando, benevolentiam, studium, amorem, et pietatem, qua academiam prosequitur, quotidie declarare non desinit, cancellarium perpetuum elegimus, et juxta felicitis recordationis Urbani papae quinti universitati praedictae concessionem factam, eligendo confirmavimus; eidemque reverendissimo patri tanquam observantiae nostrae erga eum specimen et pignus, una cum praedicto cancellario, quemcunque in vicecancellarium, sive commissarium nominandi, necnon duos, quos ad hoc idoneos duxerit, doctores canonicae et civilis facultatum cathedris praeficiendi, quoad vixerit (nostris et successorum consensu, auctoritate, consilio, et confirmatione non expectatis) specialiter liberam facultatem, et potestatem dedimus, et concessimus, quemadmodum harum literarum nostrarum serie damus, et concedimus. In quorum omnium, et singulorum praemissorum testimonium praesentes literas nostras sigilli communis universitatis munimine roboravimus. Dat. in domo nostrae congregationis secundo die Novembris, anno Domini M.D.LVI.

Papae Rom.
PAULI IV. 2.

Archiepisc. Cant.
REGIN. POLI. I.

Anno Christī
1556.

Reg. Angliae
MARIAE 4.

Injunctions by Thomas Goldwell, bishop of St. Asaph. Ex MS. Tanner. episc. Aflaven.

THAT no man, of what degre or condycyon soever he be, be buried wythin the precynt of the chyrch, without the consent of the churchwardens, except he have a chappell of hys owne, or fryndes byldyng, and that no man be buried in the chancel without the consent of the parson or vycar.

Item, That he that ys buried in the chyrch, havynge no chapell of hys owne, shall pay to the chyrchwardens toward the reparacyons of the chyrch vi. s. viii. d. and he that ys buried in the chancell, shall paye to hym, that hath the care of the reparacyons of the chancell, x. s. and the pryft, that buryeth any man contrary to this injunctyon, shall pay the sayd money to the chyrch, or chancell hymself.

Item, That no man, or woman havynge at theyr dethtyme a paramore, contrary to the laws of God, and holy chyrch, shall be buried in chrystyn buryall.

Item, That no pryft presume to gyve the holy sacraments ether of pennaunce, or of the altare, to any such, nother at Ester, nor at the hower of ther deth.

Item, That no pryft, havynge a woman at hys commandement, presume to celebrate.

Item, That no parsons, vicars, and curates do admitt any precher to preche in their chyrch, wythout he be lieensyd by the ordinarye; and that they other preche themselves, or provyde, that the paryshioners have every quarter of the yer one sermon at the lest.

Item, That no pryft do from hensfurth haunt, resort, or repayre to any disinghouses, or commyn bouling allies, or any other suspect houses or places, or do use common or unlawfull games or playes, or otherwyse behave themselves unpriestly or unseemly, upon payne of depryvation of theyr benefices, after that they shall be thrise monyshed or peremptorie ons, and yff they be not beneficed, to be suspendyd ab officio for six monthes.

Item, That every parson, vicar, or curate do exhort, advertyse, and monysh all and syngular testators, to bequethe certen to the reparacion of the cathedral chyrch, and also to ther pa-

rochial churches for ther forgotten tythes, and finally to remembre the pore and nedie.

Item, That all and singuler parsons, vicars, curates, and all other of the clergie of what dignitie, degre, or state they be of, and being yn holie orders or beneficed within the diocese of St. Asaph, shall use, were, or put upon them none other wedis or garmentes, but such as become the life and honestie of clerkes, and specially that they were no ruffe yn the collers of their shirtes, or any cutting in bothys or showes, "sub poena excommunicationis, si moniti non desistant."

Item, That no scole be hereafter kept in any chyrch.

Item, That no prest say two masses in one day, except Chrystmas day, without expresse licens.

Item, That everye parson or vicar do mentein and repayre their mancion howses.

Item, That everye parson, vicar, curate, and other prest shall truly and faithfully fulfill, kepe and observe all laweth, statutes, and constitucions, injunctions, ordinances, commaundement, and decrees, as well synodalls as provincialls or legantines, heretofore made, provided, and established and ordained, standing yn effect, for the decent and godly order to be usyd, observyd, and kepte yn the church and the clerge of this dioc. of S. Asaph, as far furthe as yn them shall lie, according to their bounden duties, and as they wyll answer for the contrarie. And what prest soever offendyth in any of the forsayd injunctyons, yf he be beneficed, beynd the peynes befor taxed, he shall be "ipso facto" suspendyd from the receyving of the fruts of hys benefyce for the space of vi. monthes the next and immedyatly followyng; and the sayde fruts shall be received by the wardens of the church, or imploy'd other upon the reparacyons or ornament of the church, wher the transgressyon was don, or upon the power scolers of the grammar scole wythin the dyocese, or the sayd wardens shall gyve acownt therof to the vycar generall of the byshop. And yf he be not beneficed, he shall suffer imprysonment for the space of iii. monthes.

Injunctions geven in the visitacion of the moste reverende father in God, the lorde cardinal Poole's grace, legate de latere, by his subdelegate James, by the permission of God bushope of Gloucestre, througheoute his diocesis of Gloucestre. Ex append. ad histor. Rob. de Avesbury edit. Tho. Hearnii. pag. 376.

Touchinge the clergie.

I. **F**YRSTE, That all parsons, vicars, and curats having the gyfte and talente of preaching, shall frequentlie and diligentlie occupie themselves in the same, accordinge to the decree of the late synode in that behalf provid-

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ed, openinge the scriptures accordinglie, and not forgettinge to declare the righte use of the godlie ceremonies of the church, as they come in course from time to time.

II. Item, That all parsons, vicars, and curats for the better instruction of theare cures, shall reade

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evry foundaie at the sermon tyme, when there is no sermon, some portion of the booke entitled, "A necessarie doctrine," latelie set furth, unto suche tyme as homelies by th'authoritie of the synode shal be made and published for the same intende and purpose.

III. Item, That all parsons, vicars, and curats shall evry holidai, when ther is sermon, at the sermon time playnelie recyte and diligentlie teache the "Pater noster," the "Ave Maria," the "Crede," and the "Ten commandments," in Englishe; exhortynge their parisheners to teache the same likewise to their younge children at home.

IV. Item, That all parsons, vicars, and curats being no preachers, shall earnestlie emploie themselves to studie the holie scripture in such sorte and wise, as they maye be able to make accompte to their ordinarie yearelie, how they profite therein; and that also they refuse not to instructe and teache the youth of their parishioners being thereunto by their parents requested, and for their paines reasonable contentid.

V. Item, That all parsons, vicars, and curats do in all poyntes the best they can to minister decentlie, reverentlie, and uniformelie the sacraments and sacramentalles, and to celebrate divine service treatable and distinctlie, so that thereby the people may be the more earnestlie moved to come to the church, and devoutlie to heare and see the same, and all beneficed men repaire their chancelles, and mansion houses with all conveniente speede.

VI. Item, That all priests from hencefurth shall use and weare conveniente and priestlie apparell, havinge their beards, and crownes shaven, accordinge to their profession, and that under penaltie of lawes provided in that behalf.

VII. Item, That no prieste from hencefurth do haunte or resorte to alehowses, or tavernes, otherwise than for his honeste necessitie, or relief, or do frequente anie suspecte howse or place, where unlawful games be used.

VIII. Item, That no prieste from hencefurth do retaine in his howse, under the pretence of keepinge his howse, or otherwise, anie woman other then souche as ys and hath ben of honeste and good fame and name, and with whome he himself nether is, nether hath been probable suspected. And yf anie souche be, mediatlie upon the promulgation herof to avoid the same, as he will avoide the perill of the lawes.

IX. Item, That none of those priests, that were under the pretence of lawfull matrimonie married, and nowe reconciled, do privilie resorte to their pretended wives, or suffer the same to resorte unto them. And that those priests do in no wise hencefurth withdrawe themselves from the mynisterie and office of priesthodde, under the paine of the lawes.

X. Item, That every parson, or vicar do make himself, or cause to be made by some other at his charges, one sermon everie quarter of the yeare at lest in his church.

XI. Item, That from hencefurth no parson vicar, or curate do use or promulgate in the pulpitte, it beinge th' appoynted place of Goddes word, the losinge or findynge of anie prophane goodes or cattells, or anie like temporall matters, or cause to that place not apperteyninge, but that the clerke, or sexton, or some other for that purpose, shall at tyme and place conveniente openlie declare the same, as neade shall require.

XII. Item, That everie parson, vicar, and curate the nexte weke after evrie Ester shall make a perfect certificate to his ordinarie in writinge of the names of all souche persons, as shall not have ben in dewe time confessed in the Lente, and receyved accordinge to the auntyente order of the church, and the common usage of all christians.

XIII. Item, That evry parson, vicar, or curate do diligentlie visite the sicke, and speciallie such, as are in extremitie and daunger, gevinge them godlie counsel for their soules helth, good advertisemente to make their last will in tyme, and holsom exhortation charitablie to remember the poor, and other dedes of devotion.

XIV. Item, That every deane shall from time to time within the space of ten daies signifye unto his ordinarie the death of everie parson and vicar within his deanerie, and likewise within fifteen daies the lacke of anie curate within his said deanerie, and also onse every quarter, at the lest, the names of all souche parsons, or vicars, as are non-residente upon their benefices, and of souche priests as for lucre useth to say two masses in one daie, contrarie to the canons in that case provided. And that every deane do sende all the presentments, that shall come to his hands, to th' ordinarie, or his chauncelor monthelie, upon pain of contempt.

XV. Item, That all parsons, vicars, and curats yerely upon sainte Andrewes daie, in remembraunce of our reconciliation to the catholike church, as that daye don, and receyved, shall make, or cause to be made in their church, a sermon, or for lacke of a sermon, shall reade a homelie, hereafter to be set furth declaringe the greate benefitte of the same; and that don, shall kepe a generall and solemn procession, exhortinge and requiringe all the parishioners the foundaie before, decentlie therat to be presente, and hertelie to geve God thancks, as to so grete a benefitte apperteyninge.

XVI. Item, That all priests in their dailie masses forgette not to saye the three collects of thancks for our reconciliation, lately sete furthe, and published for the same purpose; and that they restore furthwith the names of sainte Thomas of Caunterburie, and the popes holiness into the church books again.

XVII. Item, That everie parson, vicar, or curate shall the nexte foundaie immediately upon the receyvinge herof, reade openlie in the pulpitte as well the injunctions concerninge the clergie, as also the laitie, and the firste foundaie

sondaie after everie quarter shall reade the same from tyme to tyme openlie in the pulpitte "sub poena contemptus."

Touchinge the laitie.

I. First, That all parisheners, havinge no lawfull impedimente, shall at daies and howres accustomed appointed, duely resort to their parish churches, there to heare all divine service, not in jangling, or talkinge, or walkinge commonlie up and downe, specialle at masse time, but occupyng themselves, accordinge to the time and place, in godlie meditacion and prayer, other with beade or books for prayer allowed and appoynted.

II. Item, That the churchwardens of everie parish, where service was accustomed to be songe, shall exhorte all souche as can syng, and have been accustomed to singe in the quire in the time of schisme, or before, and nowe withdrawe themselves from the quire, from hencefurth to exercise themselves in singinge or servinge God there; and yf anie souche refuse this to do, then the said churchwardens to intimate the names of the same, amonge other presentmentes, to the ordinarie, or his chauncellor.

III. Item, That all curats shall exhorte the chief officers of every towne, and parish, for see, and cause that all tavernes, ynnes, alehouses, and vitlingehouses to be shute up at the time of divine service, and non to be servid there at those times, but passingers onlie, and souche, as shall be forced by sickness, or other unfayned necessitie; and that there be no boothes, no merchandise kepte in the churchyards, namelie on sondaies.

IV. Item, That all parisheners shall everie Lente, at some conveniente time before passion sondaie at the farthest, repaire to their own parson, vicar, or curate, to be confessed, and to no other, withoute speciall lisenf before obtained, and thence, after their confession made, to accompte with him or his deputie, for all souche tithes or duties due that yeare, to the intente, that at the time of their receavinge at Ester, there maye be no staie nor encombraunce of anie souche worldelie matters.

V. Item, That holie daies, and fasting daies, hertofore abrogate, shal be hereafter observed, and kepte, as they were before the abrogacion of the same, accordinge to the lawes now standing in force.

VI. Item, That all parisheners shall at the time of elevation reverentlie knele in souche places of the church, where they maie both see, and worshippe the blessed sacramente, not lurking behinde pillars, or holdinge downe their heads, or otherwise unreverentlie behaving themselves at that time in especiall.

VII. Item, That all parisheners shall reverentlie, and religiouslie behave themselves towards the holie sacraments, and likewise obedientlie use all the godlie ceremonies of the church, as holie bread, holie water, bering of candelles, receyvinge of ashes, bering of palme, crepinge to the crosse, standinge up at the go-

spel, goynge on proceffion, and souche other laudable, hertofore accustomed and receyved in Christes church.

VIII. Item, That all parisheners, besides the sondaies proceffion, shall onse a weke at the lest, as uppon sondaies, duely resort unto generall proceffion, as one of everie house, namelie the husbnde, or the wife, there devoutlie to praie for the prosperouse estate of the kinge and quene's majesties, and for the peace, and tranquillitie of all christen realmes, namelie this realme of Englande.

IX. Item, That souche, as are by their parisheners elected to be churchwardens for the yeare, shall in no wise refuse the execution of the said office, under the paine of the lawe; and that all churchwardens so chosen, shall yearelie within fifteen daies after their election repaire to their ordinarie, or his chauncellor, there to receive souche order, as, for the due execution of their office, shall seme expediente, upon pain of contempte.

X. Item that all churchwardens do kepe in a fast coffer under locke and keye the booke, or register of christeninge, weddinge, and buryng, with the names of godfathers, and godmothers, which shal be written everie sondaie in their prefence by their prieste.

XI. Item, That all churchwardens shall see their churches, and churchyards to be well and sufficientlie repaired and enclosed, before midsummer daie nexte ensuinge, or els therupon to presente, in whose defaulte the same is leste undon.

XII. Item, That all souche persons, as do withholde from the church anie goods or money, shall restore the same before the feast of Whitsondaie nexte, under their perill.

XIII. Item, That the poore people of everie parish shall be charitablie provided for, accordinge to the acte of parliamente, and the decree of the late synode in that behalf.

XIV. Item, That all churchwardens, the nexte sondaie followinge upon the receyte herof, shall in the prefence of the parish make, or cause to be made a true and perfecte inventarie of all lands, Jewelles, plate, or ornaments, belles, or other goods to their church belonging; th'one part of the said inventarie by them so made, to be deliverid to th' hands of the ordinarie, and th' other to be kepte in some cheste within the church, and from time to time, uppon their yerelie accompte, the same to be delivered to the churchwardens for the yeare followinge, or yf cause so require, then a newe inventarie to be made and used in manner, and fashion aforaid.

XV. Item, That the churchwardens of everie parish, with certaine of the chief parisheners, by the discretion of the said churchwardens, beinge allredie sworne or to be sworne, shall have by these presents from th' ordinarie, and the commissioners, authoritie, from time to time, indifferentlie, accordinge to their othes, and th' abilitie of everie parishener, to lease themselves, and all other, for the provision of all things necessarie lackinge in the said church; and,

148 *Injunctions by Card. POLE in the diocese of GLOCESTER.*

and, yf anie refuse to abide the order in feassement by them so taken, they to presente their names to th' ordinarie or his chauncelor, who, with the rest of the commissioners, shall compell them therunto with further cohertion.

XVI. Item, That the churchwardens of everie parishe shall see provided, and boughte at the parishe charge all these thinges hereafter followinge, where anie of the same are at this presente lackinge; that is to witt, a decenre tabernacle sette in the middest of the hie aulter, to preserve the most blessed sacramento under locke and key, after the example of the tabernacle in the cathedrall church at Gloucestre, everie parish as nigh as their habilitie shall extend unto, with a taper or lampe burninge before the same; a decenre roode of five fote in length at the leste, with Marie, and John, and the patroon or hedde sainte of the church, proportionate to the same, not painted uppon cloth or bords, but cutte oute in timber or stone; an homelie booke for the time comaunded,

as at this presente, a booke latelie sett furth entituled, "A necessarie doctrine:" and generallie all other things, which, after the custome of the place, and the greteneſs of the parishe-ners, are bounde to finde and maintayne; and all these thinges to be provided with all convenient speade uppon their perill.

XVII. Item, That the churchwardens, and other, that be and shall be sworne to see these orders and injunctions duely kepte, shall yerelie at the end of everie moneth at the furthest, make a true presentemente in writinge of the names of all them, that violateth and breakith these injunctions, or any of them, or that offendith in advourie, perjurie, or anie other crime or notable disorder within their parishe; and shall bringe or sende the same presentemente monthlie to the handes of the ordinarie, or his chauncelor, or to the handes of the dean of that deanerie, as they will avoyde the daunger of perjurie, and forfeting of their recognizances.

God save the kinge and queene.

Papae Rom.
PAULI IV. 2.

Archiepisc. Cant.
REGIN. POLI 1.

Anno Christi
1556.

Reg. Angliae
MARIAE 4.

Cardinalis Poli mandatum de confessionalibus: cujus titulus Anglice talis impressus est.

The trew copy of the transumpt, or wrytinge of late sent to the byshoppe of London by the moost reverende father in God, the lorde cardinal Pole, legate de latere, under his grace's seale, to be published and sente unto the byshoppes of this realme of England, concerning the due use of confessionals, and faculties, or licences, specially in the chosing of ghostly fathers, having aulthers portatif, in eating or using of white meat, or fleshe in tymes by the lawe forbidden, as followeth.

REGINALDUS, miseratione divina tituli sanctae Mariae in Cosmedin sanctae Romanae ecclesiae presbyter cardinalis Polus, archiepiscopus Cantuarien. sanctissimi domini nostri papae, et sedis apostolicae ad serenissimos, Philippum et Mariam, Angliae reges, et universum Angliae regnum de latere legatus, ad futuram rei memoriam. Officium legationis ab apostolica sede nobis commissum, hoc inter caetera, quae curae nostrae incumbunt, maxime exigit, ut, quantum per nos fieri potest, provideamus, ut gratiae, quae in hoc regno ab ejusdem sedis benignitate, rationabilium causarum intuitu, emanarunt, ad perniciosos abusus non trahantur; et hiis, qui eas spiritualis commodi, seu necessitatis corporalis praetextu, obtinuerunt, ad eorum appetitus irrationabiles explendos non serviant. Cum igitur, sicut accepimus, complures hujus regni personae diversas facultates, et licentias, praesertim eligendi confessores, habendi altare portatile, ac vescendi, et utendi diebus a jure prohibitis, lacticiis, et carnibus, confessionalia nuncupatas, a sanctissimo domino nostro papa, et sede apostolica, seu officio ejus sacrae poenitentiariae, per literas, forsan etiam in forma brevis, seu alias obtinuerint. Cumque non sine animi nostri molestia intellexerimus, nonnullos gratis praefatis in animarum suarum periculum, et Christi fidelium scandalum abuti, utpote cum aliqui minus idoneo sa-

cerdoti peccata sua, vel forsan etiam nulli confiteantur; alii vero etiam nullo justo impedimento detenti, ad ecclesias suas parochiales pro divinis officiis audiendis, non accedant, sed in domibus privatis, et forsan etiam omnino non audiant; necnon sacra altaris ministeria etiam in locis non decentibus, et per sacerdotes forsan minus idoneos celebrari faciant; nonnulli etiam absque ulla necessitate carnibus, ovis, et lacticiis temporibus, et diebus, quibus eorum usus est prohibitus, vescantur, et alias alia committant, quibus se hujusmodi privilegiis credunt indignos. Nos, ut hujusmodi abusibus, quantum possumus, occurramus, et animarum Christi fidelium saluti consulamus, auctoritate apostolica nobis per literas sanctissimi in Christo patris, et domini nostri, domini Pauli, papae quarti, in forma brevis expeditas, super hoc specialiter concessa, qua fungimur, usum gratiarum praedictarum moderantes, tenore praesentium statuimus, decernimus, et declaramus; quod vigore gratiarum hujusmodi nullus posthac tempore, quo a jure arctatur, cuiquam alii praeterquam proprio, vel alteri, per nos, seu loci ordinarium, ad generaliter seu specialiter audiendum confessiones ejus vel eorum, cui vel quibus hujusmodi facultas eligendi confessorem concessa est, deputato et designato sacerdote, exceptis casibus a jure permisis, peccata sua confiteri, nec quisquam alius sacerdos ejus confessiones

fiones audire praesumat; quodque nullus parochus possit aliquem ejus parochianum, qui non sibi, sed alii cuiquam de personis superius expressis, peccata sua confessus fuerit, ad communionem sacratissimi corporis Domini nostri Jesu Christi admittere, nisi sacerdos, qui ipsum audiverit, de hujusmodi confessione, vel viva voce, vel proprio chirographo ipsi paracho prius fidem fecerit, et de licentia hujusmodi confessionem audiendi in genere vel in specie, ut praefertur, sibi concessa, prius docuerit; quodque nullus possit uti altari portatili in loco non consecrato, nisi prius licentiam specialem ab episcopo dioecesano, cujus super hoc conscientiam oneramus, juxta formam constitutionis in concilio provinciali Cantuariensi editae, et sub titulo, "De celebratione missarum," registratae, ac pro ea ejus parte quae ad hanc rem pertinet, de verbo ad verbum praesentibus inferius annotatae, in scriptis desuper obtinuerit. Quodque etiam in casu constitutionis praedictae, idem dioecesanus episcopus hujusmodi licentiam non concedat, nisi ei, quem noverit locum aptum, et decentem, ac vestes, vasa, et alia ad tantum mysterium digne et honeste celebrandum necessaria habere, et qui promiserit, se per eum duntaxat sacerdotem, qui ad executionem sui officii fuerit per ordinarium loci admissus, missam celebrari facturum; quodque nullus carnibus, ovis, aut lacticiniis, temporibus et diebus, quibus eorum usus de jure vel consuetudine haecenus laudabiliter approbata est prohibitus, vescatur, nisi ex causa rationabilis necessitatis quam locorum ordinarii, habito etiam super hoc medici corporalis, et immediati pastoris consilio, veram esse, et merito admittendam judicaverint, super quo ad parochos literas gratis conscribant; quodque in casu praedicto quilibet secrete, et ea circumspeditione adhibita, ut nemini ex hoc offendiculum fiat, eisdem cibis prohibitis utatur. Si quis vero contra praemissa facultatibus, et licentiis praedictis utatur, illis ei minime suffragantibus, poenas de jure, seu alias quomodolibet contra eos, qui hujusmodi excessus committunt, inflictas, incurrat; et tam ipse, quam alii superius nominati, qui in praemissis, seu eorum aliquo deliquerint, juxta excessuum hujusmodi exigentiam, prout canonicae disponunt sanctiones, per eos, ad quos hujusmodi correctio spectat, puniantur. Quocirca venerabilibus fratribus nostris archiepiscopo Eboracensi, et universis hujus regni e-

piscopis, ac nostro in ecclesia Cantuariensi, vicario generali, et aliis quibuscumque locorum ordinariis, eadem auctoritate per haec scripta mandamus, eisque in virtute sanctae obedientiae injungimus, quatenus ipsi, quamprimum hae nostrae literae, sive earum exemplum etiam impresum, manu alicujus praelati, seu personae in dignitate ecclesiastica constitutae, subscriptum, vel ejus sigillo signatum, ad eos pervenerint, literas, seu exemplum hujusmodi per civitates, dioeceses, et loca ad eorum jurisdictionem quomodolibet spectantia, publicent, seu publicari, et ab omnibus, quos ea tangunt inviolabiliter observari, faciant: contumaces, et rebelles, per censuras, et poenas ecclesiasticas, et alia opportuna juris remedia, appellatione postposita, compescendo, invocato etiam ad hoc, si opus fuerit, auxilio brachii secularis; praemissis, et aliis in contrarium facientibus, non obstantibus quibuscumque. Tenor autem constitutionis, de qua supra fit mentio, sequitur, et est talis: "Quam sit inhonestum:" et infra. De fratrum nostrorum, et totius concilii assensu decernimus quemcunque in oratoriis, capellis, aut domibus non consecratis, seu in loco minime dedicato, seu delibuto missarum solennia, dioecesani non obtenta licentia, contra canonum prohibitionem de caetero celebrantem, suspensionem a divinorum celebratione per mensem incurrere ipso facto: licentiam ab episcopis nostrae provinciae missas in locis hujusmodi non consecratis concessam celebrandi, et in posterum concedendam personis aliis, quam magnatibus, seu nobilibus moram facientibus in locis ab ecclesiis parochialibus notabiliter distantibus, aut notorie debilibus, vel infirmis irritam decernimus, et inanem. Per hoc tamen praelatis, et rectoribus, et canonicis ecclesiarum cathedralium, vel religiosis non intendimus derogare, quominus ipsi in oratoriis suis ab antiquo constructis missas possint licite celebrare, seu facere celebrari, sicut fieri consuevit. Sacerdotes insuper, quos in oratoriis, seu capellis regum, aut reginarum Angliae, liberorumve suorum erectis, vel erigendis missas celebrare contigerit, poena praedicta nolumus coarctari. Datum Greenwichi Roffen. dioec. anno a nativitate Domini millesimo quingentesimo quinquagesimo septimo, sexto idus Januarii, pontificatus sanctissimi in Christo patris et domini nostri, domini Pauli, divina providentia papae quarti, anno secundo.

Papae Rom.
PAULI IV. 2.

Archiepisc. Cant.
REGIN. POLI 2.

Anno Christi
1557.

Reg. Angliae
MARIAE 4.

Litterae card. Poli pro salva custodia pecuniae in episcopi manibus manentis: cum articulis nonnullis. Ex reg. Turberville Exon. fol. 18.

VEN. in Christo pater dominus episcopus Exon. mittet ad reverendissimum dominum legatum, seu, eo absente, ad vener. in Christo patrem dom. episcopum Elien. divisionem, et distinctionem temporalium bonorum singulorum beneficiorum olim appropriatorum per serenissimos reges, ad dispositionem reverendissimi domini legati dimissorum, quae certis commissi-

riis per scaccarium regni commissa, et demandata sunt; et si adhuc hujusmodi divisio completa non fuit, habeatur ratio difficultatum in hac re occurrentium, cum nota expensarum, quae in hac causa fuit.

I. Item, Plenam et distinctam instructionem de statu ecclesiarum omnium rectoriarum, seu beneficiorum quocumque nomine nuncupentur,

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ut

ut praefertur, dimissorum, viz.

II. De annuo valore rectoriarum seu beneficiorum huiusmodi, non tam habita ratione ad taxam in libris scaccarii contentam, quam ad id, quod in veritate reperitur esse.

III. Quae habeant vicarios perpetuos, et quae non habeant?

IV. Quid singuli vicarii percipiant ex huiusmodi vicariis?

V. De amplitudine parochiae, et num sit dives an pauper?

VI. Qua reparatione huiusmodi ecclesiae indigeant, tam in cancellis et aliis structuris et aedificiis, non solum ecclesiam, sed etiam domos et habitationes respicient. quam vasis, libris et aliis ad divinum cultum necessariis?

VII. Quae rectoriae sint ad firmam concessae, et quae non sint; et ad quantum tempus firmae adhuc sint duraturae?

VIII. Et de omnibus aliis instruatur reverendissimus dominus legatus, quae scitu necessaria et opportuna judicentur, pro negotio dispositionis huiusmodi reddituum feliciter et utiliter expediendo.

IX. Item, idem dominus episcopus scribet sententiam suam, qua faciliiori et utiliori via posset succurri necessitatibus ecclesiarum praedictarum, tam in providendo ipsis curatis de his, quibus se honeste sustentare, et onera sibi incumbenda sufferre possint, quam de defectibus, quos huiusmodi ecclesiae in cancellis, aedificiis, et aliis necessariis patiuntur; et si essent aliquae expensae in praemissis faciendae, quibusnam haec cura tuto committi posset, ita ut pecuniae fideliter et utiliter expenderentur.

X. Curet etiam dominus episcopus per se vel per alium tractare cum parochianis ecclesiarum huiusmodi, quae reparatione cancellorum indigent, ut ipsi aliquam partem pecuniae ad hoc opus contribuere velint; id enim si faciant, poterunt facilius impetrare aliquam partem pecuniarum huiusmodi, quae, solutis pensionibus, poterit ad hoc opus destinari.

XI. Item in eventu, quo idem reverendissimus dominus vellet unire rectorias cum vicariis, assignato certo censu in singulis vicariis pro solvendis pensionibus, quomodo id commodius et facilius posset expediri?

XII. Et si quae non habent vicarios perpetuos inductos, quomodo de rectoribus posset illis rectoriis plenius, scilicet unita rectoria cum vicaria, provideri; et si quae sint personae idoneae, quibus hae ecclesiae committi possent?

XIII. Item, quando idem dominus episcopus rationes computus futuri mittet una cum eorum

libro acquietantias eorum, quibus pensiones, annuitates, corrodia, vel feuda soluta sunt.

REG. cardinalis POLUS.

Litterae (de quibus antea) missae a reverendissimo cardinale Polo Cant. archiepiscopo.

Venerab. frater noster.

Relatum est nobis ab his, qui ex mandato nostro rationes et computus decimarum, et fructuum rectoriarum, per te juxta ordinationem nostram collectorum, viderint et examinaverint, circumspeditionem ex pecuniis, quae, solutis pensionibus, et aliis oneribus deductis, supersunt, penes te habere libras 569. 16. sol. ob. 9. Interim autem dum deliberatur, in quos usus pro Dei gloria, et honore et ecclesiarum commodo ac decore, animarumque Christi fidelium salute pecuniae huiusmodi expendantur et distribuuntur, circumspectio tua, licet de ea in his et aliis plurimum confidimus, nihilominus ob nonnullas justas et rationabiles causas statim post praesentium receptionem curabit pecunias huiusmodi apud ecclesiam cathedralem, loco aliquo munito et tuto in cista trium clavium deponi. Harum autem clavium una apud te, altera apud decanum, seu, eo absente, vicedecanum, tertia vero apud unum ex archidiaconis ecclesiae, qui ibi reperitur, seu nemine tum ibi existente, apud aliquem eorum deputatum ita remanebunt, ut nullus duas penes se claves habeat. Hujus vero pecuniarum summae nulla quantumvis etiam exigua pars ex huiusmodi cista extrahatur, nisi ex permissione et mandato nostro speciali, et expresso a nobis in scriptis emanato. Circumspectio autem tua per literas suas patentes, manu propria et reliquorum, quibus clavium huiusmodi cistae cura sit commissa, subscriptas, nos de repositione pecuniarum huiusmodi juxta voluntatem nostram praedictam statim certiores faciet. Et quoniam propter synodi in aliud tempus prorogationem, prout ex nostris inde conficiendis literis postmodum plenius intelliges, ex teipso, ut isperabamus, de omnibus his, quae in schedula manu nostra subscripta, et praesentibus literis interclusa continentur, coram cognoscere non poterimus, ex scripto de eisdem quam primum fieri poterit plene et districte nos informare, ac reliquum decimarum et fructuum rectoriarum, et aliorum, quod exigendum superest, ut exigatur, omni studio et diligentia curabis. Vale in Domino. Dat. Lambethae Winton. dioec. 28. Martii M.D.LVII.

Vester frater

REG. cardin. POLUS, leg.

Papae Rom.
PAULI IV. 2.

Archiepisc. Cant.
REGIN. POLI 2.

Anno Christi
1557.

Reg. Angliae
MARIAE 4.

Pauli IV. papae bulla absolutionis electi

PAULUS episcopus, servus servorum Dei, dilecto filio Davidi Pole, presbytero Petriburgen. seu alterius civitatis, vel dioec. legum doctori, salutem, et apostolicam benedictionem. Apostolicae sedis consueta clementia, ne dispositiones per eam, de cathedralibus ecclesiis pro

Petriburgenfis. Ex reg. Pole fol. 7. b.

tempore factae, valeant quomodolibet impugnari, sed personae ad eas promovendae, illis puro corde et sincera conscientia praesidere possint, remedia, prout convenit, adhibet opportuna. Cum itaque nos hodie ecclesiae Petriburgen. ad praesens certo modo pastoris solatio destitutae,

PAULI IV. PAPAE BULLA ABSOLUTIONIS EPISCO. PETRIBURG. 151

stitutae, de persona tua nobis et fratribus nostris ob tuorum exigentiam meritorum accepta, de ipsorum fratrum consilio apostolica auctoritate providere, teque illi in episcopum et pastorem praeficere intendamus; nos, ne si forsitan aliquibus sententiis, censuris, et poenis ecclesiasticis ligatus sis, provisio et praefectio praedictae valeant propterea quomodolibet impugnari, provideri volentes, te a quibusvis excommunicationis, suspensionis, et interdicti aliisque ecclesiasticis sententiis, censuris, et poenis a jure vel ab homine quavis occasione vel causa latis, si quibus quomodolibet innodatus existis; ad hoc duntaxat, ut provisio et praefectio praedictae, necnon singulae literae apostolicae desuper conficiendae, suum sortiantur effectum, dicta au-

thoritate apostolica, tenore praesentium, absolvi-
mus, et absolutum fore nunciamus; non ob-
stantibus constitutionibus et ordinationibus apo-
stolicis, ac dictae ecclesiae juramento, confir-
matione apostolica, vel quavis firmitate alia ro-
boratis; statutis et consuetudinibus, caeterisque
contrariis quibuscunque. Nulli ergo omnino
hominum liceat hanc paginam nostrae absolu-
tionis et nunciationis infringere, vel ei ausu te-
merario contraire; si quis autem hoc attemptare
praesumpserit, indignationem omnipotentis Dei,
ac beatorum Petri et Pauli, apostolorum ejus;
se noverit incursum: Dat. Romae apud san-
ctum Petrum anno incarnationis dominicae
M.D.LVII. 9. calend. Aprilis, pontificatus nostri
anno secundo.

Papae Rom.
PAUL. IV. 2.

Archiepisc. Cant.
REGIN. POLI 2.

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Reg. Angliae
MARIAE 4.

Prorogatio concilii legatini facta per card. Polum, archiep. Cantuar. Ex reg. Bonner fol. 424.

REGINALDUS, miseratione divina tituli san-
ctae Mariae in Cosmedin sanctae Romanae
ecclesiae presbyter, etc. venerabili fratri nostro
episcopo London. seu ejus in spiritualibus vica-
rio, vel officiali generali, salutem in Domino
sempiternam. Cum nos ultra annum proxime
elapsum, tum ut bonorum ecclesiasticorum,
quae injuria superiorum temporum ablata, fere-
nissimorum regis et reginae praefatorum pietate
paulo ante ecclesiae restituta fuerant, ratio quae-
dam et dispositio ad Dei omnipotentis gloriam,
et hujus cleri et populi utilitatem constituere-
tur; tum vero ut ecclesia haec Anglicana, quae
ob praeteriti schismatis calamitatem valde defor-
mata erat in doctrina et moribus, ad sacrorum
canonum normam reformaretur, accitis et assi-
stantibus nobis utriusque Cantuar. viz. et Ebo-
racen. provinciae episcopis et clero, synodum
instituissemus et inchoavissemus, et in illa per
nonnullos dies ad hoc statutos, ac de die in diem
prorogatos, rite et legitime procedendo, non-
nulla, quae ad eorundem bonorum ecclesiastico-
rum dispositionem pertinebant, et multa alia,
quae ad reformationem spectabant, statuta fu-
issent: ac deinde sacram synodum hujusmodi,
tum quia quadragesimale tempus, quo pasto-
ribus a gregibus sibi commissis diutius abesse
non licebat, jam instabat, tum quia ad ulteri-
ora, quae tractanda remanebant, absque ma-
jorum informatione, quae sine singularum dioece-
sium visitatione commode fieri non poterat, pro-
gredi non satis bene valebamus, usque ad deci-
mum diem mensis Novembris prox. exinde se-
quentis prorogavissemus, visitationemque per or-
dinarios locorum etiam auctoritate nostra faci-
end. esse decrevissemus: postmodum quia, ut
ad certam nostram devenerat notitiam, visitatio
in nonnullis dioecesibus, propter earum ampli-
tudinem et alias justas causas, ad id tempus
compleri non potuerat, pro certiori bonorum
ecclesiasticorum praedictorum quantitatis et qua-
litate ratione, sine qua ad perfectam illorum dis-
positionem devenire non poterat, habenda, majus

temporis spatium requirebatur; et ob nonnullas
alias rationabiles causas animum nostrum mo-
ventes, sacram synodum praedictam usque in
decimum diem mensis Novembris, praefatum, a-
lias in ultima sessione generali ejusdem synodi
prorogatum usque ad decimum diem mensis
Maii proxime sequentis in aedibus nostris Lam-
bethi Wintonien. dioecesis tunc celebrand. aucto-
ritate apostolica continuavimus et prorogavimus,
prout in aliis nostris superinde confectis literis
plenius continetur. Cum autem, ob maximam
victualium omnium hoc in regno de praesenti
vigentem penuriam, episcopis et aliis personis
ecclesiasticis, quae eidem synodo de jure vel
consuetudine interesse tenentur, non nisi cum
magno eorum incommodo, ad eandem synodum
continuandam, in decimum diem mensis Maii
proxime sequentis, ut praemittitur, prorogatam,
eadem auctoritate apostolica nobis hac in nostra
legatione concessa, qua fungimur in hac parte,
tenore praesentium in diem decimum mensis
Novembris prox. sequentis continuamus et pro-
rogamus; circumspectioni igitur tuae, de qua
in hiis et aliis plurimum confidimus, quatenus
per te vel alium, vel alios venerabiles confratres
nostros episcopos, et caeteras provinciae nostrae
Cantuarien. praedictae personas ecclesiasticas,
quae sacrae synodo praefatae interesse quovismo-
do debuerint, de prorogatione et continuatione
ejusdem in dictum decimum diem proxime fu-
turi mensis Novembris certifies; eosdemque,
quatenus ipsi eodem decimo die mensis Novem-
bris in dictis aedibus nostris Lambethi sacrae sy-
nodo, quam cum eadem circumspectione tua et
aliis tam Cantuarien. quam Eboracen. provincia-
rum praedictarum episcopis, et reliquis personis
ecclesiasticis tunc interessent, alias inchoavimus, et
ut praefertur, prorogavimus, personaliter, vel,
si legitimo aliquo impedimento sunt detenti, per
earum procuratores idoneos mandatum legiti-
mum habentes, adsint, et usque ad ejus finem
intersint, etiam sub certis contra inobedientes
tuo vel aliorum tuorum hujusmodi literarum
execu-

executor. arbitrio comminandis poenis, nomine nostro moneas, et ad eandem synodum sic prorogatam voces et cites, auctoritate et tenore praedictis committimus et mandamus. Dat. in manerio nostro de Croyden Winton. dioeces. anno

Papae Rom.
PAULI IV. 3.

Archiepisc. Cant.
REGIN. POLI 2.

Anno Christi
1557.

Reg. Angliae
MARIAE 4.

Commissio Edmundi, episc. London. ad inquirendum de haereticis in sua dioecesi commorantibus. Ex Fox pr. edit. fol. 1613.

EDMUNDUS, permissione divina London. episcopus, dilectis nobis in Christo magistris, Edwardo Mowell, archidiacono nostro Essexiae, Thomae Moorton et Johanni Kingston, in legibus baccalaureis, presbyteris nostris in partibus, commissariis generalibus, salutem, gratiam, et benedictionem. Quia, ut accepimus, et ad nostrum nuper pervenit auditum, quod nonnulli iniquitatis filii in comitatu Essexiae et Hartfordiae, nostrarum London. dioeces. et jurisdictionis, commorantes et degentes, de et super crimine haereticae pravitatis apud bonos et graves non mediocriter suspecti et infamati diu extiterunt, et in praesenti existunt, nonnullosque errores et opiniones haeticas et damnabiles, sicuti informamur, a diu jam (quod absque gravi cordis nostri dolore referre non possumus) in magnam divinae majestatis offensam, ac gravem sanctae orthodoxae fidei (saltem quantum in eis fuit) subversionem, denique in plurimorum Christi fidelium perniciosum exemplum seminarunt, sparserunt, aut publicarunt, dictosque errores et haereses tenuerunt et defenderunt, ac inter caetera, ob notam et suspensiones hujusmodi, caeteraque praemissa, per justitarios et ministros serenissimae regiae majestatis in ea parte deputatos, eorum aliqui custodiae carceris juste commissi et mancipati hoc tempore existunt. Nos igitur, Edmundus episcopus antedictus, volentes, quantum possumus, tanti facinoris labem ex dioecesi nostra London. extirpare et eradicare, ac eidem morbo pervigili circumspeditionis industria occurrere, necnon pravitatem et labem criminis ac suspensionis hujusmodi depellere ac exterminare volentes, scilicet ne oves ipsae morbidae totum reliquum gregem nobis divinitus commissum suo malo exemplo inficiant et contaminent. Ad cognoscendum igitur, et procedendum contra hujusmodi facinorosos, et alios quoscunque cujuscunque sexus, infra loca praedicta degentes et commorantes, de et super crimine haeresis irretitos et suspectos, sive diffamatos, atque de ipsis haereticis, ac eorum libris reprobatis, fautoribus quoque, receptatoribus, ac defensoribus inquirendum, et inquiri faciendum, eosque juxta juris exigentiam et morem in similibus haecenus usitatum, examinandum, necnon quoscunque testes idoneos contra eosdem et eorum quemlibet recipiendum, admittendum, jurandum, et examinandum, ac ad meliorem vitae frugem convertendum et reducendum, ipsosque etiam haeticos super crimine haeresis vehementer suspectos, confessos, et convictos, ac eorum fautores, re-

a nativitate Domini M.D.LVII. tertio cal. Aprilis, pontificatus sanctissimi in Christo patris et domini nostri, domini Pauli, divina providentia papae quarti, anno secundo.

ceptores, et defensores hujusmodi (si et quatenus eorum errores et opiniones damnatas respuere, abnegare, renunciare, et abjurare, atque ad unitatem sanctae matris catholicae ecclesiae redire voluerint) abjurandum et abjurari faciendum, ac ad gremium ejusdem ecclesiae catholicae, et communionem Christi fidelium recipiendum, admittendum, et restituendum, a sententia excommunicationis, ac aliis sententiis, censuris, et poenis ecclesiasticis propter praemissa incurfis, absolvendum; alioquin contra eosdem delinquentes, et eorum quemlibet, ad ulteriora et graviora procedendum, ac sententias et decreta quaecunque etiam relapsus, si res ita exegerit, contra eos juxta juris exigentiam ferendum et fulminandum, necnon auxilium brachii secularis contra tales (si, ac quotiens opus fuerit) invocandum et requirendum; hujusmodi haeticos obstinatos et impenitentes, vel in haeresim relapsos excommunicandos denunciandos, atque brachio seculari juxta canonicas sanctiones poena haeresis puniendos, relinquendos, et tradendos, atque prout sacri canones volunt, ac juxta hujus inclyti, regni Angliae statuta, et consuetudinem laudabilem, tradendos et deliberandos; caetera quoque omnia et singula in praemissis, aut circa ea necessaria, seu quomodolibet requisita faciendum, exercendum, exequendum, et expediendum, etiam si majora de se exigunt et requirunt, quam praesentibus est expressum, et prout nosmet ipsi faceremus et expediremus, si praemiss. personaliter interessemus; vobis conjunctim, et cuilibet vestrum per se divisim, et in solidum (de quorum sana doctrina, morum gravitate, conscientiae puritate, et circumspeditionis industria in hiis et aliis plurimum confidimus) vices nostras committimus, ac plenam in Domino tenore praesentium concedimus potestatem; vosque conjunctim, ut praefertur, et divisim, vicarios nostros in spiritualibus generales, et commissarios speciales, quoad praemissa, cum cujuslibet coercionis canonicae potestate exequendi, quae decreveritis, seu alter vestrum decreverit in hac parte, ordinamus, praeficiamus, et deputamus per praesentes; assumpto vobis in praemissis, in actorum vestrorum scribam, Johanne Boswel, notario publico, vel eo impedito, quocunque alio idoneo notario ejusmodi deputato. Mandantes, quatenus de executione praesentium, atque de omni eo, quod in et circa praemissa, vel eorum aliquod per vos, aut aliquem vestrum factum, gestum, seu expeditum fuerit, nos, de tempore in tempus, quam citius poteritis, ac prout negotii hujusmodi

di qualitas, vel necessitas exegerit, et postulaverit, debite certificare curetis. Datum in manerio nostro de Fulham 10. die mensis Junii,

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1557.

Reg. Angliae
MARIAE 5.

Cardinalis Poli mandatum pro processionibus generalibus fiendis. Ex reg. Pole fol. 27. a.

REGINALDUS, miseratione divina tituli sanctae Mariae in Cosmedin sanctae Romanae ecclesiae presbyter cardinalis Polus, Cantuar. archiepiscopus, totius Angliae primas, et apostolicae sedis legatus natus, venerabili confratri nostro episcopo London. salutem in Domino sempiternam. Cum Dei optimi misericordia votis et precibus omnium semper imploranda sit, ut flagella, quae pro peccatis nostris meremur, avertat, tum vero hoc potissimum tempore id faciend. est, quo universa fere christianitas gravissimo et periculosissimo bellorum incendio adeo misere conflagrat; itaque officio nostro convenire duximus, omnes provinciae nostrae Cant. Christi fideles in Domino hortari atque invitare, ut una ad illum, qui ad dextram patris residet in excelsis, levemus cum manibus corda nostra, apud eumque sedulis orationibus insistamus, ut gravem et periculosam tempestatem sedare, christianos principes inter se diffidentes, ad concordiam reducere, universamque christianitatem in optata tranquillitate constituere, omnipotenti sua virtute dignetur, et hoc praecipue regnum una cum serenissimis ejus regibus, ab omni hostium tam internorum, quam externorum periculo tueri, omnique perturbatione defendere, ita ut in tranquillo et prospero statu degens, gratias Deo pro omnibus erga se beneficiis assidue agere possit. Circumspectioni igitur tuae tenore praesentium committimus et mandamus, firmiter injungentes, quatenus omnibus et singulis suffraganeis nostris per nostram provinciam Cant. ubilibet constitutis, vice et auctoritate nostris, cum omni celeritate accommoda, literis tuis, harum seriem continentibus, denuncies, significes, et eisdem

districtius injungas, quod ipsorum singuli in ecclesiis suis cathedralibus et aliis ecclesiis conventualibus et collegiatis, tam regular. quam secular. necnon parochialibus ecclesiis suarum civitatum et dioec. diebus dominicis et festivis, quascunque personas, tam ecclesiasticas, quam seculares efficaciter moveant et inducant, seu sic moveri et induci faciant, ut pro bono et felici statu universalis ecclesiae, pro ejus summo in terris pastore pontifice Romano, reliquisque christiani gregis rectoribus tam spiritualibus quam temporalibus, ac pace et concordia inter christianos principes ineunda, ac regni et serenissimorum ejus regum prosperitate et tranquillitate, processiones et supplicationes publicas ter quolibet hebdomada; in civitatibus vero ac oppidis, et locis celebrioribus, bis vel semel ad minus generales, cum decantatione letaniarum, et missae (si fieri poterit) alioquin cum tribus collectis; prima, videlicet, pro ecclesia et aliis, ut praemittitur, secunda pro pace, tertia pro serenissimis regibus, et hoc regno, cum omni cordis humilitate et devotione faciant et observent; suppliciter deprecando, ut omnipotens et misericors Deus, tantas calamitates ab universa ecclesia depellere, pacem populo christiano concedere, et hoc regnum, ejusque serenissimos reges, ab omni hostium impugnatione, et periculo tutos conservare et defendere dignetur: quod tu etiam, frater episcope, in tuis civitate et dioec. London. observari facies. In cujus rei testimonium sigillum nostrum praesentibus apponi fecimus. Dat. in manerio nostro de Lambeth vicesimo die mensis Julii, anno Domini M.D.LVII. et nostrae consecrationis anno secundo.

Cardinal Pole's letter for discharging of benefices of the yearly value of twenty marks, or under, from the payment of tenths. Ex reg. Lacey Exon. fol. 22.

AFTER our hartie commendacions. Wheare the kinge and quenes highness, of theyre good and godly, dispositions, have by an acte made in parliament, discharged the clergie, amonge diverse other thinges, from the payment of all suche tenths, as weare by former actes of parliament graunted unto the quenes highnes, and her successors; with a proviso neverthelesse in the same acte, that the sayed tenths shoulde still continewe to be aunswered, and go towards the payment of pensions, corrodies, annuitees, and other charges; the discharging whereof the clergie had for the consideration aforesayde undertaken, as by the same acte more playnlye apperith. Wherefore we myndinge the reliefe of the clergie, in as moche as in us lieth, and

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especiallie of those of the clergie, whose lyvings are not sufficient, for theyre smallnesse, to mainteine them (in consideration that the charge of payinge of pensions, and other charges is somewhat decreased, throughe the decease of manye of the pensioners sithens that tyme) have resolved, that all suche, as have any spirituall promotions, havinge cure of soule, of the yerely value of 20. markes or under, and were charged with the payment of tenths as before, shall thereof from henceforth clerelye be discharged. Yntending also hereafter, as the charge of pensions shall wax lesse, to proceade in disbordeninge the rest of the clergie from the payment of the tenths, which presently we cannot do generallie, as we would. Wherefore we require

R r

quire

quire yow to se this our entent published and observed, throughout your diocesse, so as neyther at Christmas next ensuing, at which time the tenth is due to be payd, nor from thence forward, ye receyve anye tenth of them, whose lyvings have cure of soule, are of or under the yerelye value of 20. marks. Provided not-

withstandinge, in case any of them be byhinde with theyre tenths, or any parte therof hitherto, that the same be demaunded of the rest, as ye did before, till ye shall have other advertisement from us. And so fare ye hartelye well. From Richmounde the thirde of August.

REG. CAR. CANTUARIEN.

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Reg. Angliae
MARIAE 5.

Advocatio praebendae in ecclesia Lincoln. concessa domino Cant. archiepiscopo.
Ex reg. Pole fol. 10. b.

OMNIBUS Christi fidelibus, ad quos praesentes literae pervenerint, Thomas, permissione divina Lincoln. episcopus, salutem in Domino sempiternam. Quum tam de jure, antiqua laudabili, longaevaue et legitime praescripta consuetudine haecenus inconcussa usitat. et observat. quam etiam de singulari praerogativa ecclesiae metropolitanae Christi Cantuar. fuerit, et sit usitatum, et observatum, quod archiepiscopus Cant. pro tempore existens, cuilibet suffraganeorum in episcopum alicujus ecclesiae cathedralis suae Cant. provinciae electo, statim post confirmationem suam unum clericum idoneum nominare et praesentare possit, cui idem elect. confirmatus tenebitur, quamprimum facultas se obtulerit, in sua ecclesia cathedrali (si secularis fuerit) de canonicatu et praebenda, si vero regularis, de alio competenti beneficio ecclesiastico providere; ac interim dictum clericum ad canonicatum et praebendam seu beneficium hujusmodi sic promovend. acceptare et admittere, necnon sibi pensionem annuam quinque librarum monetae Angliae constituere, tantisper solvend. et impendend. quousque eidem clerico de canonicatu et praebenda, vel de alio competenti beneficio hujusmodi sufficienter fuerit cautum et provisum. Sciatis igitur me Thomam, Lincoln. episcopum antedictum, jura, libertates, consuetudines, et praerogativam ecclesiae metropolitanae Christi Cant. pro posse meo adimplere volentem, dedisse, concessisse, et hoc praesenti scripto meo confirmasse reverendissimo in Christo patri, et domino, domino Reginaldo, miseratione divina tituli sanctae Mariae in Cosmedin sanctae Romanae ecclesiae presbytero cardinali Polo, Cant. archiepiscopo, totius Angliae primate, et apostolicae sedis legato nato, consecratori meo, primam et proximam advocatio-

nem, nominationem et liberam dispositionem cujusunque canonicatus et praebendae in ecclesia mea cathedrali Lincoln. meorum patronatus et collationis, cum illum per mortem, resignationem, cessionem, dimissionem, vel permutationem, aut alio quocunque modo prox. vacare contigerit; habend. et tenend. sibi, et assignat. suis dictam advocacy, nominationem, et liberam dispositionem cujusunque canonicatus et praebendae hujusmodi, sic (ut praemittitur) primo, et proximo vacatur. pro unica vice tantum. Ita quod bene liceat, et licebit praedicto reverendissimo patri, vel ejus assignat. ad libitum suum, auctoritate praesentium, quamcunque personam idoneam ad dict. canonicatum, et praebendam, semel duntaxat, et non ultra, cum primo, vel prox. vacare contigerit, nominare, et praesentare, ac literas nominationis, et praesentationis de eisdem canonicatu, et praebenda (ut praefertur) primo, et prox. vacatur. cuicunque personae idoneae efacere, et concedere; ac omnia alia, et singula agere, exercere, et perimplere, quae in praemissis, et circa ea necessaria fuerint, seu quomodolibet opportuna, adeo plene, libere, et integre, prout egomet facerem, et perimplerem, si haec praesens mea concessio facta non fuisset; ita quod, pro prima, et proxima vice tantum, non liceat, neque licebit mihi dictos canonicatum, et praebendam sic (ut praemittitur) primo, et prox. vacatur. alicui alii personae conferre, quam illi solum personae, sic per dictum reverendissimum patrem, vel ejus deputatum mihi nominandae, et praesentandae. In cujus rei testimonium, sigillum meum praesentibus est appensum. Dat. Londini decimo septimo die mensis Augusti anno domini M.D.LVII. et consecrationis meae anno primo.

The bishop of London's letter for prorogation of the synod. Ex reg. Lacey Exon. fol. 26.

My verye good lorde.

THIS daye I received advertisemente from my lord cardinall his grace, that the synode cannot convenyentlye be kepte at the daye appointed; and therefore you, and the reste of the bishoppes of the province of Canterburye to have warnynge thereof, to avoide labour and costes therein, with admonition that ye and the said bishops shall have a new warning for

yourselfes, and the cleargye of your meatinge agayne, whiche advertisemente his grace willed to be signified by me unto yow. And thus I take my leave of your good lordshippe, beseechinge God alwayes well to preserve yow. Written in haste from Fulham this twelfe of October by your lordships well assured bedisman,

EDMUNDE London.

Cardi-

Card. POLI praesentatio ad praebendam in eccl. CICESTR. 155

Papae Rom.
PAULI IV. 3.

Archiepisc. Cant.
REGIN. POLI 2.

Anno Christi
1557.

Reg. Angliae
MARIAE 5.

Cardinalis Poli praesentatio ad praebendam in ecclesia Cicestrensi. Ex reg. Poli fol. 13. a.

REGINALDUS, miseratione divina tituli sanctae Mariae in Cosmedin sanctae Romanae ecclesiae presbyter cardinalis Polus, Cant. archiepiscopus, totius Angliae primas, et apostolicae sedis legatus natus, venerabili confratri nostro domino Johanni, eadem permissione Cicestren. episcopo, ejusve vicario in spiritualibus generali, aut alii cuicunque potestatem, et auctoritatem sufficientem in hac parte habenti, salutem, et fraternam in Domino charitatem. Cum vos confrater antedictus per vestras literas patentes sigillo vestro episcopali munitas, gerentes datum vicesimo secundo die mensis Novembris, anno Domini M.D.LVII. juxta et secundum antiquam, laudabilem, et legitime praescriptam consuetudinem hactenus inconcussè usitat. et observat. ac singularem praerogativam ecclesiae nostrae metropolitanae Christi Cant. intuitu consecrationis vestrae vobis impensae, dederitis, et concesseritis nobis Reginaldo, archiepiscopo antedicto, primam, et proximam advocationem, nominationem, et liberam dispositionem cujuscunque canonicatus, et praebendae in ecclesia vestra cathedrali Cicestren. vestrorum patronatus et collationis, cum illum per mortem, resignationem, cessionem, dimissionem, vel permutationem, aut alio quocunque modo post dat. scripti vestri advocationem praedict. vacare contigerit; habend. et tenend. nobis et assignat. nostris dictas advocationem, nominationem, et liberam dispositionem cujuscunque ca-

nonicatus, et praebendae hujusmodi, sic, ut praemittitur, primo et proximo vacatur. pro unica vice tantum, prout per scriptum vestrum advocationis praedictae (ad quod habeatur relatio) plenius liquet, et apparet. Cumque, uti accepimus, canonicatus, et praebendae de Erthamme in ecclesia vestra cathedrali Cicestren. praedict. quos Rolandus Swynbourne nuper habuit, sint primi et proximi, qui citra consecrationem vestram vacaverint; nos jure nostro in hac parte utentes, ad eosdem canonicatum et praebendam de Erthamme sic vacantes, et ad nostram praesentationem nominibus, quibus supra, hac vice spectant. dilectum nobis in Christo Thomam Frier, scholarem in legibus bacalareum, fraternitati vestrae harum serie duximus praesentand. et praesentamus; rogantes et requirentes, quatenus eundem Thomam Frier ad dictos canonicatum, et praebendam admittere, ipsumque canonicum, et praebendarium eorundem, ac in, et de eisdem instituere canonice, et investire cum suis juribus, et pertinentiis universis, caeteraque peragere, et perimplere, quae vestro in hac parte incumbunt officio pastoralis, dignemini, charitatis intuitu, cum gratia, et favore benevolis. In cujus rei testimonium sigillum nostrum praesentibus apponi fecimus. Dat. in manerio nostro de Lambehith Winton. dioec. decimo die mensis Decembris, anno Domini M.D.LVII. et nostrae consecrationis anno secundo.

Convocatio praelatorum et cleri provinciae Cantuar. auctoritate brevis regii celebrata per dom. Reginald. Polum, cardin. archiepiscopum Cant. 1. Januar. in ecclesia S. Pauli, London. Ibid. fol. 59. seq.

EODEM die, sacris peractis, episcopus London. exhibuit certificatorium super executione mandati monitorii, et reverendissimus clerus domus inferioris jussit eligere sibi prolocutorem, 24. die Januarii praesentandum. Quo die Johannes Harpsfield praesentatus et admissus fuit a reverendissimo apud Lambhith, qui mox causas hujus synodi verbo tenus proposuit, videlicet: "Quod cum de antiquo more rex Angliae ob aliquot arduas causas praelatos hujus regni ad concilium sive parliamentum suum adesse jubet, propter regis securitatem et hujus regni statum ac bonum publicum concernent. consilia, et auxilia sua impensuros; ita archiepiscopus Cantuar. episcopos suos suffraganeos, praelatos, etc. ad sacrum concilium evocare assolet de iisdem causis tractaturos, et auxilia sua consimili modo daturus. Et inter alia monuit negotium maximi ponderis; scilicet cogitare, quomodo oppidum Caleis ad pristinum jus regni vi armata reduci possit. Etiam censuit perpendendum, et istud inprimis, quo modo defectus ecclesiarum cathedralium, rectoriarum, vicariarum, totius cleri, et status omnium dioeceseos et provinciae

Cantuariensis; et ut ecclesiae ex reginae munificentia dispositioni reverendissimi commendatae, recto ordine disponi et confirmari valeant. Et quid sibi videatur, voluit eos sibi significare. Et ad feliciorum expeditionem commissum est hoc negotium episcopis London. Roffen. Meneven. Petriburgen. et Gloucestr. ut consilia sua in scriptis renunciare velint quamprimum: deinde voluit reverend. statuta ecclesiarum noviter erectarum aut mutatarum, a regularibus ad seculares, expendi per episcopos Lincoln. Cicestren. et Petriburgen. item, et Nicholao Wotton, Cant. Edmundo Stuard, Winton. et Setho Laud, Wigorn. ecclesiarum decanis; et quae consideranda sunt, referre reverendissimo, quamprimum commode poterint."

Sequenti die 28. Januarii, episcopus London. exhibuit in scriptis quaedam collecta, quae ipse aliique episcopi in suis dioec. reformatione digna esse existimarunt. Et quia omnes non erant parati cum suis collectionibus, ideo superfederunt de lectione usque in tempus magis opportunum. Deinde prolocutor cum clero intrans, porrexit patribus schedulam causarum raritatis

raritatis presbyterorum ex una parte collectarum, et remedia, quibus major copia valeat haberi, ex adversa continentem. Qua lecta per Henr. Cole decanum, etc. patres voluerunt, ut hanc schedulam traderet reverendissimo. Deinde monuit locumtenens praelatos inferioris domus, ut ipsi exhiberent in scriptis, quod reformatum putarent, et exhiberent proximo die, viz. 4. Februarii, ad quem continuata fuit synodus.

Quo die 4. Februarii, episcopus "London. proposuit quandam schedulam circa res divinas, qua lecta, rogabat patres, ut illi de remediis cogitarent, et deputarent certos episcopos, ut inter se consulerent. Deinde idem dominus praesidens consuluit, ut, quia status hujus regni perturbatur ex infestatione Gallorum, et Scotorum, ipsi velint regiae majestati subvenire; et putavit ampliorem summam concedendam, quam antea, quia majus periculum ab hostibus sit timendum. Quibus verbis a praefato locumtenente vix prolatis, omnes una voce affirmabant hoc perquam necessarium, idque lubenti animo se praestituros. Quod negotium quo facile expediri possit, electi sunt episcopi London. Winton. Elien. Roffen. Lincoln. et Petriburgen. quibus adjuncti sunt sex de domo inferiori, qui constituerent inter se tam de quantitate solvenda, quam etiam de modo, et tempore solutionis."

Et tandem post varios tractatus, 9. die mensis Februarii "statuerunt concedere regiae majestati octo solidos de qualibet libra omnium beneficiorum ecclesiasticorum; idque ultra solutionem veteris subsidii prius concessi." Quam concessionem in instrumento publico redactam 14. die Februarii exhibuerunt reverendissimo, qui archiepiscopum Eborac. de subsidio concessio certificavit, rogans, ut ille consimiliter in sua provincia facere dignetur.

Sequenti 16. die Februarii in domo capitulari, comparuit "episcopus Assiavensis ex mandato reverendissimi, se cupere, ut durante parlamento toties synodus celebraretur, quoties commode fieri posset, atque ut de rebus reformatione indigentibus tractaret; ac parlamento finito, ut illi, qui decedere ad suas dioeceses vellet, vices suas concederent, ut assensum darent, episcopis London. Elien. Roffen. et caeteris episcopis hic permansuris, quae statuenda viderentur ad reformationem ecclesiae."

Secundo post die, viz. 18. mensis Februarii "dom. locumtenens, etc. consultabat, quomodo beneficia tenuia possint officari; et tandem habitis inter se mutuis colloquiis, excogitaverunt sequentes articulos ad eam rem pertinentes; videlicet:

I. That no priests be taken up to serve the wars.

II. Item, That two small benefices contiguous may be joyn'd together in commendam by the bishop, to serve them "Alternis vicibus."

III. Item, That the parishioners of chapels annexed may be compelled to come unto the parish church, whereunto they be annexed for a time, 'till curates may be provided.

IV. Item, That the bishops may be authorized

by the pope to give orders: extra tempora praescripta.

Quos articulos rogarunt patres dominum Cole, ut ipse eorum nomine reverendissimo exhiberet."

Deinde 25. Februarii "locumtenens et alii patres convenientes, consultarunt de providendis armis contra vim Scotorum, — de concessione ejusmodi armorum, quomodo, et a quibus essent praeparanda." Quos articulos reverendissimo tradiderunt, qui "voluit (synodum) expedire, an concedendum sit hoc tempore quadragesimali, ut promiscue omnes in tanta piscium caritate lacticiis vesci possent, qua de re aliquamdiu patres consultantes, nihil certi statuerunt."

Tandem habitis tractatibus de solutione decimarum, quam adhuc cessare non posse perspexerunt, reverendissimus 8. die Martii continuavit, et prorogavit convocationem ad 11. diem Novembris, anni M.D.LVIII.

In MS. sequuntur nonnulla capita articulos de doctrina, et disciplina ecclesiae, et ecclesiasticorum continentia; item statuta quaedam de eadem materia, quae in hac synodo, si non stabilita, saltem proposita fuisse, valde probabile est.

Articuli de doctrina.

CAP. I. Ut populus per concionatores, quantum fieri potest, doceatur; ut quatuor brevium concionum genera Anglice perscribantur, eaque ubi concionatores defuerint, dominicis diebus, et aliis festis populo per rectores, vicarios, et parochos recitentur.

Primi generis conciones, sint de eucharistia, de poenitentia, de confessione auriculari, et de reliquis sacramentis, quae haeretici nostri temporis maxime impugnarunt. Item de libero arbitrio, de justificatione, de bonis operibus, de ecclesia, ejusque auctoritate, unitate, ac ministris.

Secundi generis, sint expositiones in articulos fidei, orationem dominicam, angelicam salutationem, decalogum, et septem ecclesiae sacramenta.

Tertii generis, sint conciones breves de tempore, et de sanctis.

Quarti generis conciones, sint de natura, usu, et significatione caeremoniarum, quae in ecclesia sunt maxime usitatae. Item de virtutibus, et vitiis, velut de charitate, de obedientia, de timore Dei, de extremo judicio, de adulterio, de avaritia, de perjurio, de luxu, etc.

Ut brevis catechismus edatur Latine et Anglice, quo juvenus in fidei rudimentis erudiatur.

Sint quoque salutaria quaedam ac pia documenta, quibus sacerdotes tam in confessionibus audiendis, quam in infirmis visitandis, utantur.

De hiis, quae ad orationem pertinent.

II. Ut precationum liber horas beatae Mariae, psalmos poenitenciales, vigiliis, mortuorum commendationes, psalmos passionis, et alias pias precationes complectens, Latine et Anglice edatur,

edatur, quo a populo in ecclesia uniusmodi precandi modus observetur.

Sit formula quaedam gratiarum in prandio, et in coena Deo agendarum, patrum sermone composita, qua laici per totum regnum utantur.

^a Ut dum concio, vel summa missa, quam vocant, ac solennis peragitur, nullus sacerdos celebret; sed omnes tam sacerdotes, quam laici eam attentis animis pariter audiant.

^b Ut breviaria ac libri missales recognoscantur, et repurgentur, et uniusmodi per totum regnum habeantur.

^c Ut in omnibus dioecesibus eadem ceremoniae omnino teneantur.

Ut festum dedicationis uno certo ac statuto die in omnibus ecclesiis celebretur.

Ut in templis, dum res divina peragitur, nemo ambulare, aut confabulari permittatur; sed vel precibus se dedat, vel exeat e templo.

De templis decore ornandis, ac refarciendis.

III. Ut vestes sacrae, ad tremenda mysteria obeunda, sint in singulis templis ad minimum duplices; quarum unae diebus festis, alterae profectis inserviant: sint etiam honestae ac decorae.

Sint calices argentei; sint praeterea thuribula honesta, et crux cum vexillo.

Altaria item sint decore admodum ornata: parentur item libri ad sanctum Dei cultum necessarii: sint etiam corporalia munda.

Sit porro imago crucifixi ad dominicae passionis recordationem. Sint etiam superpellicia pro parocho et ministro honesta et munda.

Paretur locus vel circiter medium altaris, vel ad ejus cornu, in quo sacrosancta eucharistia sub sera sancte custodiatur, ne in eam impii sacramentarii aliquando impetum faciant.

Ut vestimenta sacra, calices, et altaria jamdudum polluta, et prophanata, denuo consecrentur.

Ut tecta, fenestrae, tabulatum, crucifixi, et caeterae partes templorum probe reficiantur.

Ut altaria diruta in singulis templis denuo erigantur.

Ut coemeteria sancte servantur, diligenterque circumsepiantur, ne pecudes irrumpant.

De disciplina ecclesiastica renovanda, et moribus cleri per eandem reformandis.

Ut in synodis inquiratur diligenter in omnes rectores, vicarios, et curatos, et alios quoslibet sacerdotes, quomodo anno praeterito se gesserint.

Provideatur item de archidiaconis, qui sunt episcoporum oculi, ut suis muneribus secundum veteres canones sedulo perfungantur.

IV. Ut rurales decani, et officiales non venalem habeant disciplinam ecclesiasticam, sic ut inopes (sicut hoc tempore fit) plectantur, divites ne appellentur quidem.

V. Ut nullus sacerdos mulierem probabiliter suspectam, vel alias infamem in aedibus

suis teneat, sed ab ordinario admonitus, intra mensem eam excludat.

VI. Ut sacerdotes nullam exerceant mercataram, neque sordidis, et prophanis muneribus omnino se dedant, ne ordo contemnatur, ejusque vilescat auctoritas.

VII. Ut sacerdotes singuli vel in precibus, vel in studiis, vel in pueris erudiendis, vel aliis honestis exercitiis assidue versentur, ne adversarius eos otiosos reperiatur.

VIII. ^d Episcopus, presbyter, diaconus, aut subdiaconus, in fornicatione, aut perjurio, aut furto deprehensus, vel legitime convictus, castigetur, vel deponatur.

IX. ^e Episcopus, presbyter, aut diaconus, qui vel aleae, vel ebrietatibus indulget, admonitus, vel desinat, vel deponatur.

X. ^f Presbyter si uxorem duxerit, ab ordine suo illum deponi debere. Quod si fornicatus fuerit, vel adulterium commiserit, extra ecclesiam abjici, et ad poenitentiam inter laicos redigi.

XI. Si quis clericus, jam olim post susceptos sacros ordines, illicite conjugatus, et postea separatus, et post poenitentiam restitutus ministerio, ad illicitum thorum denuo redire praesumpserit, officio deponatur usque in diem mortis; laica tantum communione ei concessa.

XII. ^g Et quoniam populus a cultu Dei, qui a sacerdotibus conjugatis tam irreverenter obitur, penitus abhorret, tales sacerdotes vel amoveantur penitus a ministerio, vel, propter paucitatem ministrorum ac sacerdotum, sint ad tempus curati. Sed nullum omnino proprium habeant sacerdotium, quin etiam poenitentiam dignam crimine, quod admiserunt, agere cogantur.

XIII. Ut in dioecesibus, in quibus uxores duxerunt, ministrare nullo modo permittantur; sed iidem ad sexaginta millia passuum removeantur: et si quispiam illorum vel semel versatus cum uxore, vel collocutus esse deprehensus fuerit, canonice castigetur. Et in singulis synodis de eorum conversatione inquiratur.

XIV. Quo simoniae labes, qua ecclesia Anglicana non ante hoc tempus solum, sed etiam jam misere infecta est, prorsus tollatur; statuatur synodus, ne vendantur a patronis eorumve famulis sacerdotia, neque sub pacto aliquo, aut conditione concedantur; neque sacerdotum quispiam, qui sacerdotium aliquod petit, quidquam muneris, quo illud obtineat, cuiquam det. Quod si patronus sacerdotium vendidisse, aut sub pacto aliquo cuiquam sacerdoti concessisse deprehensus fuerit, non admittatur. ^h Singuli denique ordinarii ab hiis, qui ipsis praesentati fuerint, recipiant juramentum, prout alias statutum fuit in constitutione provinciali, quae incipit: "Praesenti de jurejurando:" cujus formula sequitur ad verbum:

Ego N. praesentatus ad ecclesiam parochialem de N. per talem patronum ejusdem ecclesiae, juro ad haec sacrosancta Dei evangelia

^a Ex concil. Colon. Mogunt. et Trevir. ^b Ex concil. Colon. Mogunt. et Trevir. deliberetur. ^c Deliberetur, quo pacto hoc fiat. ^d Canon apost. 24. ^e Canon apost. 41. ^f Concil. Neocaesar. ^g Deliberetur. ^h Here is a red cross in the margin of the MS.

per me corporaliter tacta, quod propter ecclesiam parochialem praedictam obtinendam, aut praesentationem ad eandem habendam, aut acquirendam, neque ego, neque alia persona vice et nomine meo, nec de consensu aut scientia meis praedicto patrono, seu alii cuicunque aliquod, praemissorum nomine aut intuitu, promissimus, aut dedimus; nec quicquam ejus rei gratia permutavimus, compensavimus, aut prius datum confirmavimus, apudve quemquam deposuimus; seu quicquam mutuavimus, commodavimus, seu elocavimus; priusve mutuatum, commodatum, depositum, aut elocatum, aut quocunque modo debitum remisimus seu relaxavimus. Nec de sanctuario, gleba, terris, praediis, tenementis, redditibus praedictae ecclesiae, fructibusve, decimis, aut oblationibus ejusdem praeteritis, praesentibus, aut futuris, donationem, remissionem, locationemve promissimus, fecimus, aut inivimus; seu aliquis nostrum de mandato, scientia, aut consensu meis promissit, fecit, aut inivit. Ita me Deus adjuvet, et haec sacrosancta Dei evangelia.

XV. Ut nemo levi de causa excommunicetur.

XVI. Ut nemo cum excommunicatis versari permittatur, nisi quibus de jure permissum est.

XVII. Ut episcopi, et ordinarii in synodis, et alias, diligenter inquirent de iis, qui tempore schismatis magistros se profitebantur pravorum dogmatum, ut vel publice se jam resipuisse profiteantur, vel a ministerio amoveantur; et si laici fuerint, excommunicentur.

XVIII. Ut in mensis sacerdotum lectio sacrum literarum habeatur.

XIX. Ut sacris initiandi literas testimoniales habeant, et titulum; itemque ut de doctrina, aetate, et moribus exquisite examinentur.

De ecclesiis cathedralibus et aliis.

XX. Ut in illis sint aliqui praebendarii concionatores verbi, qui episcopos juvent.

XXI. Ut secundum antiqua ecclesiarum cathedralium statuta, sit in singulis earum vir doctus, qui sacras literas clero et populo interpretetur. Et in noviter erectis ecclesiis assignentur aliqua praebenda cum incremento redditus, quae nulli conferatur, nisi qui velit haec praestare.

XXII. Ut in singulis praedictarum ecclesiarum sint sexaginta, vel plures pueri ex beneficiis appropriatis sustentandi, ibique grammaticam discant, quo clero postea inserviant.

XXIII. Provideatur item, ut in singulis ecclesiis parochialibus sit rector, vicarius, aut parochus: et ubi non satis ex decimis, et fructibus ecclesiae suppetit ad sacerdotem sustentandum, vel aliquo modo fructus augeantur, vel duae ecclesiae uniantur, idque potissimum in urbibus et oppidis incorporatis.

Consideretur item de capellis annexis.

Ut pluralitas beneficiorum doctis solum viris concedatur, quo doctrinae praemium sit, et indocti ab hoc privilegio prorsus excludantur.

De vestitu.

Ut sacerdotes omnes habitu clericali incedere cogantur.

Ut, qui praebendis aut ulla promotione spirituali gaudent, etiam si sacris non sint initiati, habitu sacerdotali, vel clericali vestiti incedant pro more patriae, ubi degunt.

Ut in vestitu episcoporum et presbyterorum moderatio adhibeatur.

Ut episcopi inquirent de his, qui sylvis, aut aliis abditis locis se occultant, aut alioquin non accedunt ad parochiales ecclesias diebus et horis, quibus divina officia diebus festis celebrantur; et si admoniti non resipiscant, examinentur tanquam suspecti haereseos, et canonice castigentur ad aliorum exemplum.

Articuli de academiis et scholis.

I. Ut una eademque sophisticae et dialecticae introductio in utraque academia juventuti perlegatur. Deinde Porphyrii praedicabilia et praedicamenta. Tum Aristotelis dialectica. Adhibeatur interdum (si placet) Rodolphus Agricola de inventione. Caeterae omnes dialecticae rejiciantur.

II. In philosophia tam morali, quam naturali legatur solus Aristoteles.

III. In theologia legat unus aliquam Bibliae partem, alter Magistrum Sententiarum, vel alium auctorem ex theologis scholasticis, quo doctrina scholastica, quae theologiae professoribus maxime necessaria est, renovetur.

IV. Et quoniam studiorum ardor, qui in academiis olim vigere solet, jam pene deferbuit, et ad professores publicos audiendos, propter delicatum quoddam fastidium, pauci admodum confluunt; provideatur, ut certus numerus cujusque collegii, prout praepositis collegiorum ad hanc, vel illam lectionem magis idonei judicabuntur, ad singulos praelectores publicos audiendos quotidie accedere cogatur, quo et praelectores ipsi ad accuratius praelegendum incitentur, et auditores majores in libris faciant progressionem.

V. Ut nemo in sociorum, aut discipulorum numerum in aliquo collegio cooptetur, et bonis alatur collegii, nisi pauper sit, et parentes illius polliceri voluerint, se cum eo, simulatque ad maturam aetatem pervenerit, serio acturos, ut clero se addicat consecretque. Idemque in ludis literariis, in quibus aliquis discipulorum numerus ex fundatoris beneficio sustentatur, omnino observetur.

VI. —

VII. Ut mature provideatur, quo numerus eorum, qui in academiis operam literis navant, aliqua ratione augeatur; uti non desinant, qui in posterum clero se addicant.

VIII. Ut omnes, cujusunque ordinis, conditionis, aut status sint, qui in academiis discendi causa versantur, clericali et sacerdotali habitu, sub poena expulsionis, vestiti incedant, quo a laicis distinguantur; et quotquot aliquo gradu scholastico sunt insigniti, semper extra collegia induti incedant, prout ipsorum gradus postulat, sub eadem poena.

IX. Ut nemo ad sacerdotium, aut ullam aliam promotionem (ut vocant) spiritualement supra summam viginti librarum admittatur, nisi triennio in academia aetatem discendi causa degerit, et gradu

gradu saltem bacalareatus insignitus fuerit.

X. Ut nemo alearum, chartarum pictarum, tesserarum ludo in taberna, diversorio, aut domo ulla extra collegia pro pecunia utatur, sub poena expulsionis.

Ut proluxae praefationes, atque etiam confutationes, quae nuper in principiis disputationum haberi solebant, amputentur, quo tempus in argumentis concisis consumatur.

Ut beneficiati, qui in academiis studii causa, vel sub praetextu studii, degunt, teneantur statutis temporibus sese disputationibus exercere, et lectionibus publicis interesse, et in collegiis, vel aulis, aut aliis domibus studentium morari.

De scholis.

Ut plures ludi literarii (si fieri potest) erigantur, et illis, tum qui jam sunt, tum qui futuri sunt, pii ludimagistri, et catholici praeficiantur, et de haeresi suspecti removeantur.

Ut nemo ad juventutem vel in scholis, vel in generosorum aedibus instituendam admittatur, nisi per ordinarium approbatus.

Statuta clero in synodo collecto proposita.

Quod episcopi tum ea, quae infra scribuntur, tum omnia alia, quae suo officio incumbunt, diligenter exequantur. Quum archiepiscopi, et episcopi esse debeant forma gregis, ad quam se debeant subditi reformare; quod nequit fieri, nisi se omnibus exhibeant in exemplum; majorum itaque institutis inhaerentes, exhortamur in Domino, et in virtute sanctae obedientiae, atque sub divina attestazione judicii monemus, ut omnes et singuli episcopi in festis principalibus, saltem in festis Nativitatis Domini, Paschae, et Pentecostes, atque in ebdomada sancta praesentiam suam debitam in ecclesiis suis cath. exhibeant, ibique missas celebrent, et oleum sacrum, atque infirmorum in die coenae Domini quolibet anno conficiant, nisi eos ab ipsis ecclesiis a suis superioribus evocari, aut ex infirmitate, vel aliqua alia justa causa tunc abesse contingat. Circumeant praeterea dioeceses suas temporibus opportunis, monasteria et hospitalia reformando, clerum et plebem corrigendo, haereses et errores extirpando, et verbum vitae in agro dominico seminando; in conferendis ordinibus, atque beneficiis instituendis; curatis multo diligentius, quam antehac, vigilando, ne inhabiles ad curam animarum, etiam ad tempus, substituantur, praecavendo; beneficiatos, qui ex causa non admodum urgenti abfuerint, ad residendum in suis beneficiis citra omnem redemptionem compellendo, veniasque eadem beneficia pro pecunia locandi prorsus rescindendo; exactiones et rigores officiariorum et ministrorum suorum compescendo; ecclesiarum, et capellarum privilegiat. abusus comprimendo; concionatores idoneos per dioeceses suas subinde emittendo; haereticos eorumque libros explorando et corrigendo, et cum opus fuerit, etiam condemnando et extinguendo: et, ut rudimenta fidei et literarum tam in universitatibus, quam in aliis gymnasiis publicis pura jaccian-

tur, puriusque et sincerius coalescant, sollicitius incumbendo; abbates, et priores ad debitum numerum religiosorum reducendo, ipsosque religiosos in suis monasteriis degentes, ad monasticam conversationem excitando, absentes ad sua monasteria compellendo, licentiam capacitatum coercendo: et, ut per proprietarios, rectoresque, et vicarios frequentes in suis ecclesiis conciones fieri procurent, distributionesque debite inter pauperes earundem parochianos fiant, diligentissime providendo; clericos delinquentes vigilantius inquirendo, et severius, quam antehac, corrigendo, eosdemque super horrendis sceleribus etiam coram laicis convictos, in carceribus vel in perpetuum retinendo, vel saltem non ita facile, nec tam cito ad purgationem admittendo; simoniacos deponendo; et carnis libidine lapsos, ad rigorem canonum, et constitutionum tam in praesenti synodo, quam in prioribus editarum, castigando; venatores et aucupes clericos coercendo; pretiosisque vestibus indutos, ad vestium modum in hac synodo praefinitum, reducendo, et in eodem retinendo; caeterosque clericos otiosos, aut dissolutos ad exercitia, et honestam conversationem revocando: et, ut in summa dicamus, omnes subditos viros ad mandatorum Dei, canonumque et constitutionum maxime tuitionem, fidei et morum integritatem concernentium, observantiam verbo et exemplo cohortando, persuadendo, et, ubi opus fuerit, etiam compellendo.

De qualitate ordinandorum.

Praesentis sacri concilii provincialis auctoritate sancimus, ordinamus, et statuimus, quod nullus episcopus per se, sive suum suffraganeum, quempiam alienae dioeceseos, praeter regulares exemptos per ordinatorem debite examinatos, ad sacros ordines intra Cant. provinciam de caetero admittat, nec ordinet; nec iis, aut eorum alicui liceat extraneos, et qui infra dioec. vel jurisdictionem suam non sunt oriundi, aut beneficiati non fuerint, vel domicilium ibid. per triennium non habuerint, quoquo modo ordinare, etiam si idem literas episcoporum suorum dimissoriales habuerint; quas auctoritate praesentis concilii decernimus non esse admittendas quoquo modo. Statuimus quoque et ordinamus, quod nullus clericus secularis de caetero admittatur ad sacros ordines, nisi habuerit literas testimoniales curati, et oeconomorum, vel parochiae, in qua natus, beneficiatus, vel per triennium proximo praecedens commoratus fuerit, sub sigillo archidiaconus illius loci, vel ejus officialis, ubi archidiaconus jurisdictionem habuerit; alioquin sub sigillo commissarii in parochia praedict. jurisdictionem habentis; seu si in aliqua universitate studens fuerit, sub sigillo commissarii universitatis Oxon. seu vicecancellarii Cantabrig. cum testimonio superioris loci sui; quae literae ipsius ordinandi vitam, genus, patriam, bonam famam, et conversationem, tam circa fidem catholicam, quam circa alia contineant: pro quibus quidem literis, et sigillo, ultra quatuor denarios nihil exigatur, sub

¹ Placet hoc statutum, si quid addatur coercionis.

poena suspensionis ab officio, quam ipso facto auctoritate hujus concilii incurrat, donec duplum pecuniae receptae parti sic solventi restituat. Exacte itaque curent episcopi, ut neminem de caetero ad subdiaconatus ordinem promoveant, nisi eum, qui adeo sit exercitatus in evangelis, et epistolis sacris saltem in missali contentis, ut eorundem sensum grammaticalem examinatori prompte et expedite reddere valeat. Sitque eorum quilibet sufficienter instructus etiam in aliis ad ordinem illum, quem tunc assumpturus est, per sacros canones requisitis, et in officiis divinis secundum morem ecclesiae et loci consuetudinem promptus et expertus; habeatque praeterea in presbyterum ordinandus caetera ad ipsius officium et ordinem per "c. Quae ipsis 38. dist." ipsis sacerdotibus necessario requisita.

De idoneitate admittendorum ad beneficia.

Sacerdotibus valde tremendum est iudicium Dei, ne per eorum ignorantiam, aut negligentiam populus ob penuriam verbi Dei fame pereat, et a regno Dei excludatur. Statuimus itaque, et ordinamus; quod ad ecclesiam parochialem, ejusve vicariam perpetuam, post annum a publicatione praesentis statuti, ordinarii locorum neminem admittant, nisi eum, qui omnia et singula in quadam constitutione provinciali sic incipien. "Ignorantia sacerdotum," etc. de officio archipresbyteri intellexerit, adeo in eisdem tritus et exercitatus fuerit, quod memoriter et prompte eorum sensum verum juxta tenorem cujusdam libelli vocati, "Exoneratorium curatorum," explicare, et exponere possit; eidemque per ordinarium specialiter tunc injungatur, quod quater ad minus in anno ea omnia suis parochianis diligenter et sincere exponat, praedicet, et declaret: super quo, an debite observatum fuerit, ordinarii locorum in singulis suis visitationibus inquisitionem faciant specialem; et quos constitutionem tam salubrem violasse, praedictaque non fecisse compererint, prima vice per suspensionem ab officio per unum mensem, et secunda vice per duos menses, et sic deinceps, poenam aggravando, prout illorum negligentia crescit, ad observandum praedicta compellant: providentes tamen, ut interim curae animarum impensis suspensi, quatenus opus fuerit, debite deserviant. Sacras vero literas, ad ecclesiam parochialem, ejusve vicariam perpetuam admittendus, et admissus, ita grammaticae intelligat, ut earum sensum cum industria, et aliquali studio, secundum interpretationem alicujus catholici doctoris, et intelligere, et suis parochianis exponere possit. Quod si eorum aliquis praemissa facere et observare neglexerit, aut quovis justo impedimento praepeditus, praemissa facere et observare non possit; tunc, si ejus beneficium valoris fuerit octo librarum, semel in anno; si vero valoris fuerit decem librarum, bis in anno; si valoris fuerit viginti librarum, quater in anno verbum Dei parochianis suis per concionatorem idoneum et

approbatum solcite, et cum effectu in partem recompensationis sui in ea parte officii praedicari procuret, praeter et ultra sermones, quos in ecclesiis suis alioqui ad populum haberi contingeret. Quod si beneficium appropriatum fuerit, et vicarius pro sua portione decem libras habeat aut supra, vicarius, qui simul ad curam, et hospitalitatem obligatur, bis; propriarius vero, si ejus portio, seu fructus in beneficio sibi appropriato, super vel circiter decem libras communiter valeat, tunc annuatim bis; si vero viginti libras excedat, tunc (modo praedicatorum idoneorum sufficiens copia fuerit) ter; si vero plurimum infra decem libras, tunc saltem semel in beneficio hujusmodi per se, vel aliam personam idoneam praedicari procuret, praeter distributiones parochianis ejusdem alioqui impertiendas. Et ad praemissa diligenter facienda, tam rectores et vicarii, quam ipsi propriarii per ordinarios locorum, sub poena 6 s. 8 d. pro qualibet vice, in pauperum parochianorum, et alios pios usus illius parochiae distribuendorum, si in praemissis remissi fuerint inventi, arceantur et compellantur.

De substitutis beneficiarum per ordinarium admittendis.

Statutum, decretum, et ordinatum est, ne quis de caetero rector vel vicarius ex quacunque causa per tres menses absens a beneficio, suo curato quempiam ibid. ad vices suas supplendas substituat, nisi quem hujusmodi rector aut vicarius episcopo, ejusve vicario in spiritualibus generali, officialive principali, aut commissario, locive ordinario per literas suas privatas, vel si beneficiatus in partibus fuerit transmarinis, tunc per literas sui procuratoris, signo et subscriptione dicti rectoris, vicarii, seu procuratoris munitas, praesentaverit; et quem sic praesentatum, episcopus dioecesanus, vicarius generalis, officialis, seu commissarius, locive ordinarius praedict. in moribus et scientia prius approbaverit, et ad curam animarum administrandam admiserit. Quibus quidem literis rectoris, vicarii, seu procuratoris signatis, ut praefertur, et subscriptis, ordinarius, et quilibet officialium praedict. fidem indubiam sine dilatione dabit. Ita tamen, ut sic praesentatum ad administrationem curae illius non admittant, nisi quem adeo doctum esse constiterit, ut omnia et singula contenta in constitutione provinciali superscripta, sic incipien. "Sacerdotibus valde tremendum est," etc. quantum ad cognitionem sacrarum literarum attinet, parochianis suis praestare possit. * Quod statutum diligenter, et perpetuo in omnibus observari volumus, nisi summa temporis necessitas, taliumve virorum extrema inopia alios, licet minus idoneos, etiam ante praesentationem hujusmodi substituti, exigat, aut permittat. Super quo volumus stare juramento substituentis procuratoris ipsius, quod alium magis idoneum justo pretio pro tunc commode invenire non potest; quem tamen sic substitutum, diutius remanere nolumus, quam magis idoneus

* Non placet hoc statutum, nec quoad praesentationem, nec quoad poenam; sed volunt, et petunt, ut episcopi, et archidiaconi, caeterique locorum ordinarii, eorumque ministri, et officiales diligentissimam in suis visitationibus respectu faciant inquisitionem pro idoneis substitutis habendis, et aliis rejiciendis.

commode inveniri possit. Ordinarii autem seu commissarii antedicti eosdem sic praesentatos infra tres dies proxime et immediate sequen. diem, qua huiusmodi praesentati praesentis suis se obtulerint, sine quacunque ulteriori dilatione vel repellant, vel admittant. Quod si non fecerint lapsis, ut praemittitur, dictis diebus, pro admissio habeatur; nec rector, vicarius, vel substitutus praedict. ultra, de, et pro substitutione illius sacerdotis, pro illa saltem vice, per ordinarium, vel dictos officiales, ea de causa molestetur, inquietetur, aut turbetur. Si quis vero a beneficio curato suo huiusmodi sive substituto taliter, ut praemittitur, praesentato et admissio absens fuerit, fructibus beneficii sui, in pios usus per ordinarium distribuendis, tam diu careat, donec ad beneficium suum redierit, et in eodem resederit, vel ordinario suo seu ejus officiali, aut commissario praedict. suum substitutum in moribus et scientia approbandum, ut praefertur, praesentaverit, et ejus admissionem, ut praefertur, obtinuerit; pro quibus quidem substitutis admittendis, ordinarius, officialis, vel commissarius praedictus nihil omnino accipiat, aut accipi permittat: nullusque sacerdos, secularis, vel regularis, curam animarum in ecclesia paroch. ab ordinario prius ad eandem non admissus, administret, nisi in tempore, ut praefertur, necessitatis. Qui autem contra fecerit, interdicatur ei per annum immediate sequen. ne ulli curae deserviat infra dioecesim, in qua taliter servire tentaverit, nec in aliqua alia illi dioecesi contigua. Si quis vero dictorum officialium aliquem substitutum minus idoneum, sibi, ut praefertur, praesentatum, ad serviendum curae animarum admiserit, ordinarii arbitrio, et discretionem poena condigna puniatur.

De non admittendis ad beneficia per procuratorem.

Quia ubi res agitur per procuratorem, ordinarius potest mores, scientiam, et conditiones personae sibi praesentatae ignorare, et sic inficius indoctum vel indignum (ut saepe contingit) aut religiosum ad beneficium nomine clerici, vel capellani, suppresso religionis titulo, per procuratorem sibi praesentatum in beneficio ecclesiastico instituere. Igitur statutum, ordinatum, et decretum est, ut quilibet ad beneficium curatum praesentatus, in persona sua propria ad ordinarium veniat, si in sua dioecesi, vel jurisdictione praesens fuerit; si autem abfuerit, et reliquerit in sua absentia vicarium generalem, ad ipsum veniat, ut diligenter examinetur, an moribus, et scientia, ac caeteris qualitatibus sit aptus, et idoneus ad ejusdem beneficii curam administrandam. Et quod taliter non examinatus, ad beneficium per procuratorem non admittatur, nisi sit in dignitate aliqua ecclesiastica constitutus, vel nisi sit ex aliqua certa universitate ad minus artium magister, aut juris pontificii, vel Caesarei bacalareus secularis, vel nisi sit talis, de cujus scientia, et moribus alio

modo suo ordinario satis constat, vel nisi in partibus transmarinis, ex aliqua causa legitima coram ordinario approbanda, tunc egerit, vel nisi adversa valetudine impediatur. Si quis autem in suo procuratorio se in ecclesiastica dignitate constitutum, artiumve magistrum, seu juris canonici, aut civilis bacalareum falso nominaverit, aut se clericum vel capellatum, cum sit religiosus, existere falso simulaverit, aut adversa valetudine laborare finxerit, cum sit sanus, quia dolus, et fraus nemini debent patrocinari, institutio, vel in possessionem inductio sequens ex huiusmodi fallaci procuratorio, nullius sit roboris, aut momenti; ipseque constituens tale procuratorium beneficio, ad quod tunc nominatur, sit ipso facto privatus; et liceat patrono beneficio sic vacans conferre, seu ad idem alium idoneum praesentare. Quod si aliquis, cum quo forte per sedem apostolicam de delatione habitus, vel ut sit capax beneficii ecclesiastici, dispensatum sit, coram ordinario in habitu seculari, cum sit religiosus, comparuerit, et se religiosum esse ordinario, etiam non interrogatus, non detexerit, institutio, et in possessionem inductio pro nullo habeatur. In omnibus autem praedictis casibus, quibus praesenti constitutione quemquam per procuratorem ad beneficium curatum admitti permittitur, illud omnino volumus observari, ut procurator ipse suo proprio, vel alterius fide dignae personae, cui promovendus sit cognitus, juramento fidem faciat se credere, quod is, quem ad beneficium admitti postulat, quantum ad mores attinet, idoneus, quantum vero ad scientiam, sufficiens existat ad ea omnia et singula praestanda, quae in aliis constitutionibus praesentis synodi exiguntur.

Causa correctionis ex officio.

Ut, quae a sacris canonibus pro animarum salute salubriter cognoscuntur statuta, cum minori delinquentium jactura, et dispendio, quantum fieri potest, executioni mandentur; statuimus, ne quisquam in causa correctionis morum, ad effectum poenitentiae, vel purgationis indicendae, ex apparitorum informatione, vel aliter, ex officio mero et promoto, coram quocunque ordinario vocetur, nisi prius de eodem crimine, vel in visitatione per probos detectus fuerit, vel nisi crimen notorium existat, vel nisi is, qui ad iudicium sit vocandus, apud bonos et graves fuerit de eodem crimine infamatus; quibus casibus si purgatio veniet indicenda pro fornicatione et simili crimine, non ultra sextae manus; pro graviore vero non ultra duodecimae manus compurgatorum numerum imponent. ¹ Ita tamen ut pro singulo quoque compurgatorum non ultra unum denarium; pro laboribus vero, aut feodis curiae officiariorum, non ultra decem denarios, arbitrio ordinarii dividendos, huiusmodi purgationis causa exigatur. ^m

Distinctius quoque inhibendo praecipimus, ne locorum quorumcunque ordinarii in quibusvis ausis quemquam ultra duas diaetas ad respon-

¹ Vo lunt, ut purgandus nihil omnino solvat, praesertim cum ex officio procedatur.
by some body, since the rest was writ.

^m *Hic deest* is writ in the MS.

dendum positionibus, vel ad ferendum testimonium, vel ad se purgandum, nisi episcopo ordinario prius de urgente aliqua causa ad eum ulterius evocandum constiterit, personaliter trahant; sed committatur examinatio aliquibus viris idoneis in locis illis, quibus partes examinandae, et purgandae commorantur. Qui in aliquo praemissorum hanc nostram constitutionem violare praesumpserit, duplum damni, quod illatum est parti laesae, restituat.

^a Proviso, quod nec hoc statutum, nec aliquid in eodem contentum, in aliquo praejudicet jurisdictioni, aut auctoritati archiepiscopi Cant. in quantum archiepiscopus est primas, vel legatus natus; nec canonibus, aut constitutionibus contra simoniacos seu haereticos editis, per aliquid in hoc statuto contentum quovis modo derogetur.

De absentibus causa studii.

Ne falsus studii praetextus excuset absentes a beneficiis, ordinarii locorum in singulis suis visitationibus et capitulis diligentem faciant de absentibus a beneficiis suis curatis inquisitionem, nulliusque absentiam gratia studii in quacunque academia approbent, nisi absentes huiusmodi bonarum literarum capaces, et ad adipiscendam doctrinam admodum apti per probationem legitimam sibi commendentur. Ac deinceps caveant praelati, ne senibus beneficium, vel beneficia habentibus (praesidibus collegiorum, seu aularum, aut publicis in sacra theologia jure canonico, aut civili praelectoribus, duntaxat exceptis) a suis beneficiis, praetextu studii, abesse indulgeant, vel permittant: qua in re sub obtestatione divini numinis praelatorum conscientias oneramus. Et ut dicta nostra ordinatio promptiorem sortiatur executionem, ulterius statuimus, et ordinamus, quod cancellarii, seu vices gerentes utriusque universitatis, in prima sua admissione ad sua officia, juramentum praestent corporale, alioqui non admittendi, quod bis singulis annis de ineptis et inidoneis huiusmodi per singula collegia, aulas, et hospitalia, specialem faciant inquisitionem; quod si quos ibid. etiam juvenes beneficiatos, nulli deditos studio, in otio et deliciis vitam degentes, compererint, de eisdem dioecesanos episcopos, seu ordinarios, ubi beneficiati existunt, cum omni, qua possunt, celeritate et diligentia certiores facere non omitant, qui mox eos ad residentiam in ecclesiis suis parochialibus debitam, et hospitalitatis solatium, quae sub velamento studii desides huiusmodi fraudulenter subtraxerint, canonice cogant, et compellant.

De hiis, qui, deserta residentia, in cura propria recipiunt stipendia aliunde.

Hoc sacro approbante concilio, prohibemus, ne cantarista vel aliter beneficiatus, propria cura sua, cantaria vel suo beneficio dimisso, alieno deserviat, nec stipendia aliunde percipiat, sub poena amissionis medietatis fructuum sui beneficii, arbitrio ordinariorum, tempore visitatio-

nis eorum, sub testimonio oeconomorum, applicandorum ad reparationem ecclesiae ornamentorum, et pauperum parochianorum elemosynas; exceptis illis studentibus in universitatibus, quorum beneficiorum valor ad summam octo marcarum de claro non extenditur.

De concionatoribus.

Item, quoniam, pronunciante apostolo, cognovimus, quod in novissimis diebus instarent periculosa tempora, et quod multi a fide discederent, attendentes spiritibus erroris, videmusque ovile Christi per lupos rapaces Wicleffi, et recentiorum quorundam haereticorum discipulos, undique periclitari, summa prudentia maximeque praelatorum diligentia huic morbo tempestive succurrendum est, ne malum hoc latius divagando vires acquirat; et ne sero de medicina cogitetur, cum per longas moras malum hoc adeo invaluerit, ut de remedio quodammodo desperetur. Et quia hujus defensionis officium tam per divinas leges, quam per sacros canones ad episcopos, apostolorum successores, maxime spectat, et ipsi propter suas occupationes multiplices, vel invaliditates corporales, seu occasiones alias, per seipsos in hoc periculoso tempore non sufficiunt ministrare populo verbum Dei, maxime per amplas, et diffusas dioeceses; hac sacra synodo statuimus, et ordinamus, ut episcopi viros idoneos, ^o ad sanctae praedicationis officium salubriter exequendum, pro dioecesum suarum amplitudine assumant potentes opere et sermone, qui greges eorundem (cum ipsi episcopi aliter impediti, hoc nequeunt per se ubique perficere) solcite visitantes, errores et haereses modo invalescentes exterminent, rectam, et veram fidem, et quae credenda, quaeque fugienda sunt, doceant verbo, et exemplo aedificent, quibus ipsi episcopi necessaria juxta canonem inter caetera de officio ordinarii curent subministrari, episcoporum conscientias apud altissimum in hac parte onerantes. Constitutionem quoque provincialem ^p positam sub titulo "De haereticis C. reverendissimi," salubriter editam, quoad ea, quae sequuntur, innovando atque ampliando statuimus, ordinamus, et decernimus, quod nullus secularis, aut regularis, praeterquam in sua ecclesia, ad praedicandum verbum Dei etiam a jure scripto auctorizatus, privilegiove spirituali munitus, officium ^f five exercitium praedicationis verbi Dei in se assumat, populo, aut clero quovismodo praedicet in Latino sermone seu in vulgari, in ecclesia aut extra, nisi primo archiepiscopo, vel dioecesano illius loci, in quo praedicare sic nititur, se praesentet, et examinationem subeat, sicque deinde tam moribus, quam scientia per ipsum archiepiscopum, vel dioecesanum idoneus ad praedicandum comprobetur. Et postea per eundem cum literis auctenticis ad praedicandum mittatur ad aliquam certam parochiam, vel ad plures, prout eidem archiepiscopo, vel ordinario, secundum qualitatem personae videatur ex-

^a Volunt, ut archiepisc. Cant. sit sub eadem lege episcoporum, nisi per modum appellationis; et quantum ad primaciam legati, utatur illa per commissarios in partibus. ^o Taxetur quaelibet dioec. ad certum et determinatum numerum praedicatorum secundum quantitatem, et amplitudinem dioec. ^p Addatur alia poena.

pediens. Nec etiam aliquis praemissorum, etiam si per archiepiscopum sive dioecesanum admissus, praedicare praesumat, nisi prius eodem die rectori, vicario, seu curato loci, ubi concionaturus est, ipsius archiepiscopi, seu dioecesani literas, sub sigillo suo magno ad haec sibi confectas, ostendit. ⁹ Caetera vero omnia in constitutione provinciali supradicta, "De haereticis C. reverendissimi," contenta, juxta formam n eadem traditam firmiter observari, et executioni diligentissimae demandari, etiam hujus praesentis synodi auctoritate decernimus, statuimus, et ordinamus.

De haereticis et haeticorum libris.

Nostrae sollicitudinis praecipua cura esse debet, statim ut pullulare aliquid cognoscimus, quod fidei christianae puritatem, vel ecclesiae Christi concordiam, pacem, et tranquillitatem offendit, illud penitus rescindere, agrum dominicum a noxiis zizaniis et vepribus omni diligentia expurgare. Sane dudum in nostra provincia, quod dolenter referimus, quidam haeresiarum damnabiliter excaecati, alios secum in infidelitatis interitum trahere satagentes, libellos nonnullos Latino et vulgari sermone conscriptos, edere, spargere, et publicare curaverunt, contraria fidei catholicae, et sanctae matris ecclesiae doctrinae dogmata continentes; cujus generis est liber, qui "Parabola Mammonae iniquitatis" inscribitur. Item alius liber, qui "Obedientia christiani hominis" vocatur. Item translatio Novi Testamenti in lingua Anglicana a Wilhelmo Hychyns, alias Tyndal, corrupta. Item alius liber, qui "Revelatio Antichristi" intitulatur. Item alius liber, qui "Dialogus inter patrem et filium" vocatur. Item alius infamis liber, qui "De sepultura missae" rhythmo sermone vernaculo compositus est. Item alius, qui "Introductio in epistolam Pauli ad Romanos" inscribitur. Item alius, qui "Supplicatio mendicorum" nominatur. Item alius liber, qui "Practica praelatorum," et alius, qui vocatur "A. B. C. to the prelacy;" et alius, qui vocatur "Defensorium pacis," et alius, qui vocatur "Dialogus inter generosum, et rusticum." Item alius in vituperium divi Thomae, quondam archiepiscopi Cant. Qui quidem libri, una cum multis aliis pestiferis, partim a Wilhelmo Hychyns, alias Tyndal, partim a Simone Fische, Wilhelmo Roy, et Richardo Bryghtwell, eorumque complicibus compositi sunt.

Quos omnes et singulos libros, infandis et pestilentissimis haeresibus et blasphemis referatos, innumeris erroribus plenos, una cum praedictis, et aliis eorundem, et similium auctoribus quibuscunque, hoc sacrosancto concilio approbante, damnamus, reprobamus, et haereticos esse judicamus et decernimus. Praeterea etiam patrum nostrorum vestigiis inhaerentes, prohibemus, ne quis in posterum tractatus, opuscula, schedulas, aut libros quoscunque, sacram scripturam aut ejus interpretationem in se continentes, in linguam vulgarem translatis, vendere, donare, commendare, emere, imprimere,

inscribere, edere, legere, spargere, aut publicare in parte vel in toto, publice vel privatim, vel penes se scienter retinere, absque sui dioecesani in scriptis licentia, praesumat, nisi prius hujusmodi libri episcopo loci exhibiti, atque ab eodem diligenter examinati, atque auctoritate ejusdem comprobati fuerint. Qui vero contra fecerit, ut zizaniorum fator, et haereticae pravitatis fautor puniatur. Si quae vero persona ecclesiastica vel in praedicto excessu, vel in quavis haeresi, vel errore pernicioso, quem illico ad monitionem dioecesani loci recantare recusaverit, manifeste deprehensus fuerit aut convictus, beneficiis, si quae habeat, hoc sacro approbante concilio, sit ipso jure privatus, et ad dignitates ecclesiasticas quascunque, vel alia beneficia curam animarum habentia, necnon ad curati officium gerendum perpetuo inhabilis reddatur. Et quia multi libri haeretici in lingua Latina a Luthero, Lamberto Pomeriano, Zuinglio, Oecolampadio, Bucero, Melanchthone, Carolstadio, Brentio, Jona, Westmero, Heghen Dorphino, Johanne Agricola, Urbano Brenfemano, Andrea Knopkyn, Simone Hesse, Johanne Wyltkith, Ottone Bromselsio Wessello compositi et editi; et quidam etiam alii libri nullius auctoris nomine prodeuntes, cujusmodi est liber ille, qui "De veteri et novio Deo" inscribitur. Item alius, qui "Piae preces," alius qui "Oeconomia christiana" vocatur; omnes innumeris erroribus et pestilentissimis haeresibus pleni brevi gregem dominicum infecturi videntur, si in vulgus prodire, et passim ab omnibus, nihil in eis non rectum subesse suspicantibus, lectitari possent. Et alii etiam ejusdem generis libri, aliis nominibus et titulis quotidie novi parantur et eduntur. Ad occurrendum huic imminenti malo, hoc sacro approbante concilio, prohibemus, ne quis librum quemcunque sub praedictis titulis, aut auctorum praefatorum, aut quorumcunque aliorum de novo imprimendorum nomine inscriptum aut compositum, vel in posterum componendum, habere, legere, edere, publicare, seu penes se retinere praesumat. Quod si fecerit, ut de haeresi suspectus habeatur, et puniatur, nisi forte episcopus loci eidem propter singularem ejus doctrinam, fideique integritatem hujusmodi librum, sive in lingua vernacula sive Latina editum, ad effectum impugnandi, eundem, habere, legere, vel penes se retinere concesserit; nova vero opera quaecunque, ad sacram scripturam, ejusve interpretationem, seu ad dogmata ecclesiastica pertinentia, cujuscunque fuerint auctoris aut tituli, ne prius edantur aut publicentur, praecipimus, quam ab episcopo loci examinati et comprobati fuerint, sub poena praedicta.

De clericis convictis.

Statuimus, et praesentis sacrae synodi auctoritate ordinamus, quod quilibet sacerdos, diaconus, vel subdiaconus, qui vel de criminibus gravioribus; videlicet, de crimine prodicionis, matricidii, homicidii voluntarii, furti per insidias in viis publicis, vel per effractionem ec-

⁹ Fiat commissio gratis, et duret hoc statutum usque in proximam convocationem. nonnullorum librorum, quam auctorum eorundem. *This is writ by some modern hand.*

¹⁰ Hic desunt nomina tam clericorum

cleriorum aut domorum commissi, vel super crimine violenti raptus mulierum, incendii domorum aut agrorum voluntarii, coram iudice laico convictus fuerit, et traditus ordinario loci; si postea de crimine huiusmodi ipsius ordinario, vel per confessionem partis, aut per probationes legitimas coram eodem canonice factas, constiterit, clericus huiusmodi sit coram ordinario convictus, perpetuis, absque spe aliqua purificationis admittendae, custodiat in carceribus, et omni beneficio ecclesiastico, si quod habeat, censeatur ipso facto privatus. Quod si clericus huiusmodi super criminibus praedictis, aut eorum aliquo, ut praefertur, coram iudice laico convictus, de iisdem aut eorum aliquo graviter apud loci ordinarium suspectus vel defamatus fuerit, et nihilominus facta per ordinarium infra annum inquisitione legitima, clericus huiusmodi per confessionem suam, aut per alia legitima probationum genera, super eisdem vel eorum aliquo legitime, ut praefertur, minime convincatur; quia tamen sua culpa in tantam infamiam, in scandalum cleri, videtur incidisse, ille antequam ad purificationem faciendam admittatur, per unum ad minus annum integrum in vinculis in arcta carceris custodia detineatur, tribus diebus singulis septimanis illius anni solummodo pane et aqua aut cervisia refectus. Et post lapsum anni, si tunc ad purificationem faciendam huiusmodi clericus petat se admitti, certi dies et locus idonei, in quibus huiusmodi purgatio recipi debeat, per ordinarium designetur, fiantque locis convictionis et purificationis sufficientes monitiones, citationes, et publicationes purificationis indicendae, viis et modis juxta juris ordinem seu morem consuetum, pro opponere volentibus contra huiusmodi purificationem, ut die et loco praefixis, qui sua interesse putaverint, si velint, in loco purificationis indicendae interfint. Quibus die et loco purificationis recipiendae, auditis per ordinarium allegatis hinc inde et propositis, si ordinarius clericum illum ad purificationem faciendam admittendum existimaverit, cum sex ad minus probis et honestis viris in forma juris iuratis, et non aliter, ad eandem admittatur. Quae quidem omnia tam in praedictis, quam in aliis convictis clericis ordine ecclesiastico etiam prima tonsura, priusquam huiusmodi majora scelera commiserant, initiatis, qui tonsuram et habitum suo ordini competentem gerere consueverint, observari volumus, quamdiu ordinarii ad custodiam illorum, qui per ordinis vel saltem primae tonsurae ante commissionem illorum scelerum, pro quibus coram iudicibus laicis fuerant convicti, suspensionem ad clericatum minime assumpti fuerunt, inviti non arceantur. In convictis vero et incarceratis clericis pro aliis criminibus, quam praedictis, per purificationem liberandis, nolumus antiqua jura et ecclesiae consuetudinem immutari; nisi quod illud etiam exacte observandum praecipimus, ne hoc casu faciliter liberentur, nec perfunctorie pro eis purgatio admittatur.

De vestibus et indumentis clericorum.

Quoniam ad aliquot annos jam abusus clericorum in vestibus et indumentis longe magis

invaluit, quam antea fieri consuevit, unde non mediocrem apud vulgus invidiam sibi conflarunt, et ingentem obloquendi praestiterint ansam, nimirum ecclesiae bona in apparatus nimis sumptuosum prodigentes; idcirco ista sacra synodus remediis quibusdam opportunis huic malo duxit quanto citius occurrendum. Quamobrem statuit, decrevit, et ordinavit, quod nemo in sacris ordinibus constitutus, vel beneficium affectus ecclesiasticum, toga quavis utatur publice, quae serica sit, ornataque pretiosis pellibus, nisi praelatus, ordinis senatorii, vel alicujus baronis ad minus filius, aut frater, vel nisi fuerit de cancellaria domini regis, vel alicujus archiepiscopi, vel episcopi vicarius generalis, aut officialis principalis, archidiaconus, seu aliter in dignitate ecclesiastica constitutus, seu ex universitate aliqua graduatus; quibus licebit uti sericis sumptuosisque pellibus, prout, secundum eorum gradus in universitatibus susceptos, uti permitti sunt, et consueverunt. Item statuit et decrevit, quod nemo in sacris ordinibus constitutus, in tunica sua utatur chameloto, nisi fuerit ad minus artium magister, vel in legibus bacal. Nec in epitogiis quisquam praesumat uti velveto, aut sarcineto, nisi fuerit, ut praemittitur, graduatus, vel beneficium affectus ecclesiasticum; sed nec cuiquam in pileo suo velveto uti liceat in futurum. Nam honestatem, et modestiam in suis indumentis clericos omnes exhibere decet, potius quam splendorem, vel pompam; sed et juxta pristinam sacerdotum laudabilem consuetudinem, sacrorumque patrum instituta, semper extima vestis, quam quisque, praeterquam, itineris gratia in publicum exiens, gerit, sit talaris, hoc est, neque nimia longitudine caudam trahens, neque nimia brevitate crura tibiasque demonstrans; sit eadem quoque superius proxime sub prento clausa pariter, et inferius tam honeste collecta, ne fimbriis ipsius togae patulis, et diffluentibus conspicua fiant, quae tegi magis, et operiri pro honestate clericali conveniret. Manicis quin etiam togae suae quisque congruis, et decoris utatur, non pendiolis, aut notabiliter in latitudine, longitudine, vel angustia peccantibus. Nullus praeterea clericus, nisi cui pro dignitate sui gradus conveniat, annulum aureum, vel deauratum gestet in digitis; nullus induis, aut camisis, quas vocant Phrygiatis, hoc est acu laboratis, auro, sericove contextis, utatur. Nullus conspiciendum se non indutum toga publicitus ostendat. Nullus pileo cum ligulis, aut corrigiis laneis affutis, aut contextis, caput operiat. Nullus caligis varii coloris, aut caesuris panni sericive desuper insertis, se induat. Nullus calceos, aut sotulares cum ungulis utrinque prominentibus, more laicorum, pedes tegat. Nullus absque tonsuris foras prodeat, quin et ita tonsuratus incedat, ut infima pars auris queat liquido conspici. Ut igitur in summa dicatur, singuli clerici, maxime sacris in ordinibus constituti, vestibus incedant ejusmodi, quae materia, colore, compositione, modoque utendi, clericalem ordinem haudquaquam dehonestent. Si quis vero contra statutum, et ordinationem dictam agere deprehensus fuerit, is primo per ordinarium

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rium, ejusve officialem, aut commissarium, decanumque ruralem moneatur, quatenus errorem suum reformet, nec deinceps recidat in eundem. Quod si per triduum in obstinatio sua steterit, aut emendatus postea reinciderit, a celebratione divinorum suspendatur per mensem. Quod si nec sic emendatus fuerit, tunc iterum suspendatur, donec resipiscat realiter cum effectu.

De clericis venatoribus.

Quum sacerdotes, et clerici in sacris ordinibus constituti, canes venaticos loris more laicali ducere, et accipitres manibus per civitates, et loca publica gestare nunc dierum non verentur; nos tantam clericorum impudentiam poenali lege reprimere cupientes, statuimus, ut quicumque clericus in sacris ordinibus constitutus, vel beneficium adeptus ecclesiasticum, qui canes sic ducere, et accipitres, aut aves aucupes per vicos et plateas, in villis, vel urbibus quovis modo gestaverit, a celebratione divinorum ipso facto per unum mensem sit suspensus.

De clericis et religiosis lapsis in vitium carnis.

Quum nullum vitium aequè ut carnis gravet infamia, et ministros Domini deceat mundities et sanctitudo, quoniam ipse mundus, et sanctus est; ideo statuimus, et ordinamus, ut subdiaconus, aut diaconus, qui in simplici fornicatione deprehensus, vel confessus, vel convictus fuerit coram ordinario suo, singulis quartis, et sextis feriis omnium hebdomadarum unius mensis in pane angustiae, et aqua doloris in carcere maneat. Ita ut in singulis ordinum praedictis duplicetur poena pro adulterio, triplicetur pro incestu. Et in caeteris carnis spurcitiis poena crescat, ut impuritas crescit, et turpitudine; quod si etiam sacerdos, curatus, vel religiosus sit, aliquid illi praeter caeteros addatur ad poenam, veluti qui duplicis voti sit reus, et ordinis, et professionis. Ut haec observentur, conscientias praelatorum oneramus; et ut infamiam vitent, quae ad illos recurreret, nisi severiter in impuros animadvertant, in Domino exhortamur. Incorrigibiles vero juxta sacrorum canonum statuta deponantur. Quod si quispiam ex his in lupinari, aut ullo alio loco infami deprehensus sit, in quo fama est pudicitiae prostitutiones publice aut secrete exerceri, illi augeatur praescripta poena ordinarii arbitrio juxta vitii qualitatem.

De simonia vitanda.

Quanta autem simoniae infamia contra nostri temporis tam seculares, quam cujuslibet ordinis religiosos invaluit, quis est qui ignorat? Non enim precibus et obsequiis tantum, sed et apertis muneribus beneficia, et praelaturas non modo vacantes, sed de verisimili vacaturas, in animarum suarum gravissimum periculum his proximis annis absque rubore, et Dei timore aliquo comparaverunt; quorum ambitione factum est, ut electionum saluberrimae formae,

quae per canones liberae esse deberent, jam multis annis vel fraudibus obtenebratae sunt, vel ad compromissi necessitatem redactae. Ut itaque tanto scandalo salubri aliquo remedio, quanto citius et melius fieri possit, consulamus; praesentis sacrae synodi auctoritate praecipimus, et mandamus, ut episcopi hujus Cant. provinciae singuli in suis dioecibus diligenter advertant, ne talia de caetero committantur; curentque per se, et ministros suos, maxime quos in praelatorum electionibus tanquam directores et consultores interesse continget, ut electiones hujusmodi secundum sacratissimos canones, et indulta principum, deinceps libere pro arbitrio eligentium procedant, fraudesque, et pactiones, per quas in hujusmodi electionibus recta eligentium conscientia captivetur aut seducatur, penitus secludantur; singulique locorum ordinarii in suis visitationibus, et quoties necessitas postulaverit, diligentem in suis dioec. faciant inquisitionem, an contra aliquos intra easdem ulla simoniae labis nota orta sit. Et si quempiam, Dei timore postposito, per pecuniae et munerum sordes praelaturam, vel aliud quodcunque beneficium ecclesiasticum adeptum fuisse compererint, poenis jam a jure communi contra simoniacos^{*} promotos salubriter adinventis, in eundem acriter animadvertant; ut quarum poenarum desuetudo obliviosa audaciam jam aliquot annis praebuit delinquendi, earundem nunc innovatio, et irremissibilis executio cunctos in officio contineat, et a delinquendo cohibeat.

De hiis, qui pactionem faciunt cum praesentatis.

Ejusdem auctoritate concilii ordinamus, ac statuimus, ut nullus patronus spiritualis pro pensione, quam sibi, et ecclesiae suae praetendit debitam, praesentatum a se jurare cogat de pensione solvenda, vel aliter de novo sibi obligari. Cum istiusmodi juramenta et obligationes nonnihil in se habeant suspicionis contractus simoniaci; et patronus, si jure pensionem petat, etiam citra praesentati juramentum, aut obligationem aliunde remedium habeat contra negantem de jure communi. Idem eadem auctoritate mandamus, et praesentando ne hoc juramentum aut obligationem praestet, immo potius beneficium recuset; et nihilominus si ob hanc causam repulsum se fuisse probare possit, et patronus in poenam ea vice careat jure praesentandi, et ordinarius velut hujus vicis patronus, prout illam esse volumus et ordinamus praesenti decreto, clerico repulso ob hanc causam tantum suo jure beneficium illud, ad quod praesentandus erat, conferat, quum aequum non sit, ut ulli obsit sua probitas. Quod si et patronus jusjurandum exigat, et clericus praestet; et hunc inhabilem ad hoc beneficium, vel ad ullum aliud ecclesiasticum intra proximum triennium censemus et decernimus, et illum, prout supra, jure patronatus pro ea vice privamus.

^{*} Promotos is writ in the margin by some modern hand instead of *convictos*, which is blotted out in the MS.

De otio vitando, et honesta clericorum conversatione.

Quia desidia mater est omnium quodammodo vitiorum, hoc sacrum concilium omnibus curatis, rectoribus, vicariis, et cantaristis mandat et praecipit, quod peractis divinis officiis, sint deinceps occupati in studiis, orationibus, lectionibus, aut aliis honestis rebus et negotiis, quae suam deceant professionem; videlicet, instruendo pueros in alphabeto, lectura, cantu, aut grammatica; et tribus in hebdomada diebus, tres vel ad minus duas horas in sacrae scripturae, vel alicujus doctoris approbati lectione, cessante legitimo impedimento, se exercent. De qua re diligenter in suis visitationibus inquirent ordinarii, ut sacerdotes otiosos, et tempus suum male terentes, severe castigent et puniant. Et quia nimia sacerdotum inter laicos conversatio nonnulla pericula, praeter ordinis sui contemptum, gignere solet, singuli in suis dioec. episcopi, et caeteri ordinarii curent, quod rectores, vicarii, curati etiam et cantaristae, qui domos suis beneficiis pertinentes habent in rectoriis, vicariis, aut cantariis suis, et non alibi, nisi itineris aut infirmitatis gratia, pernoctent. Et quod si plures in eadem villa sint sacerdotes, simul, et non separatim, quatenus iudicio ordinarii commode fieri potest, communas habeant. Et quia non solum a malo sed ab omni specie mali secundum apostolum abstinendum est, id est, ab eo quod mali apparentiam habet, aut suspensionem sinistram gignere, aut scandalum populo praebere possit, abstinendum est; praesentis sacrae synodi decreto statuimus, ac praesentis synodalis concilii auctoritate districte inhibemus, ne quis clericus in sacris constitutus, ludos aliquos, jure canonico vel regni aut regis auctoritate prohibitos, quovismodo exercent aut utatur; loca suspecta aut malorum iniquorumque consortia omnino devitet; tabernas, in quibus quodvis genus potus passim venditur, non frequentet, nisi aliter necessitas cogat, aut in iis quovismodo moram faciat; mulierum colloquia suspecta nullatenus habeat. Quod si per ordinarium suum aut alium quemvis sufficienti auctoritate super aliquo praemissorum monitus non resipiscat, prima vice ab executione sui officii per integram hebdomadam suspendatur; et crescente in hac parte ejus contumacia, crescat et hujusmodi poena pariformiter. Et si nec sic resipiscat, si cantarista aut aliter beneficiatus existat, tertiam partem fructuum cantariae, sive beneficii sui ipso jure sit privatus, in pauperum subventionem, et alios pios usus discretionem ordinarii distribuendorum, et convertendorum, donec resipiscat, et ab hujusmodi excessibus absteineat; si vero nec beneficiatus nec cantarista fuerit, sed ex solo stipendio vivens, si tertio, ut praefertur, monitus se non corrigit, ab altari remotum se noverit, donec et quousque ab hujusmodi excessibus plene absteineat. Item quia, ut ait sapiens, "Multa mala docet otiositas;" ad hoc pestiferum virus evitandum et

eliminandum, praesentis sacrae synodi decreto praecipimus, et firmiter injungendo mandamus sub poena suspensionis ab officio et beneficio, ut quilibet in sacris constitutus, et praesertim sacerdotes stipendiarii tres horas vel ad minus duas in sacrae alicujus scripturae vel approbati doctoris lectione singulis diebus, cessante legitimo impedimento, se exercent.

De ludimagistris et uniformi docendi modo.

Quia vetus est adagium: "Quod nova testa capit, inveterata sapit:" et: "Qualis est moderator in civitate, talis est et populus:" hoc sacro approbante concilio, statuimus, quod praecipue scholarum grammaticalium sint praeter eruditionem, quatenus fieri potest, viri catholici et probi, et ut primum omnium doceant pueros sibi traditos simplicem fidei et agendorum et fugiendorum summam. Et ne pueris rudibus perlegantur opuscula, quae puero- rum mores aut fidem videbuntur corruptura, neque ulli alii libri in quibus, quasi per lulum puerilia ingenia infici possent. Et quum vel propter pestem laborantem in locis ubi hujusmodi publicae scholae sunt, aut propter mortem praeceptoris, ut plurimum contingit, quod qui anno aut biennio sub uno praeceptore grammaticam addiscere coepit, illo relicto, cogitur novum adire praeceptorem, apud quem alius est docendi modus, ut pene diversus est apud omnes; atque ita fit, ut rudes adhuc in grammatica magnum ex hoc sentiant in provectione studii detrimentum; ad communem igitur utilitatem totius provinciae Cant. hoc sacro approbante concilio, statuimus, ut post annum a publicatione praesentium unus et uniformis sit docendi modus per totam provinciam Cant. nullus auctor regularum seu praeceptionum grammaticalium pueris in grammatica instituendis ediscendus proponatur, nisi quem archiepiscopus Cant. simul cum quatuor aliis suae provinciae episcopis, quatuor abbatibus, et quatuor archidiaconis in hac synodo deputandis, hoc anno proximo sequenti praescripserunt pueris perlegendum; qui etiam habeant potestatem formulam institutionis grammaticorum praeceptoribus praescribendi. Ludorum vero grammaticalium magistri tam admissi, quam admittendi, juramenti vinculo per locorum ordinarios ad observandum omnia in hoc statuto contenta, quatenus eos concernit, astringantur, maxime hii, qui in locis insignioribus publicas scholas salario publico vel privato tenent.

De inquisitione habenda tam super haeretica pravitatem, quam de modo studendi in universitatibus.

Quia, fonte corrupto, necessum est rivulos inde fluentes impuros et insalubres esse; constatque universitates illas Oxon. et Cantabrig. fontes esse, unde rivuli omnium scientiarum profluxerunt; qui quidem fontes, si fuerint corrupti, si errorum et haeresium maculis conspurcati fuerint, quantum timendum est, ne ex

illis fontibus prodeant, qui universum regnum suis haeresibus inficiant! Ut igitur sanae doctrinae eruditioni in ipsis fontibus consulatur, errorumque et haeresium in ipsis omnis occasio tollatur; hoc sacro approbante concilio, statuimus et ordinamus, quod episcopus Lincoln. ad universitatem Oxon. et episcopus Elien. ad Cantabrig. universitatem, infra suas jurisdictiones respective existentem, quamprimum et quoties opus fuerit, accedant, et ibid. supra haeretica pravitate diligenter respective inquirent, et puniant quoscunque in hac parte delinquentes. Et insuper adhibitis sibi cancellariis praedictarum universitatum, seu eorum vices ibidem gerentibus, cum ipsorum consilio, consensu, et assensu, super debito in studiis modo habendo, ordinem statuant, atque constitutionem provincialem bonae memoriae domini Arundell, Cant. archiepiscopi, titulo "De haeticis," incipien. "Feciales," in hac parte factam, una cum hac nostra ordinatione ibidem publicent; et postea annuatim in utraque universitate praedicta eadem, simul cum hac nostra ordinatione, publice repeti, et executioni demandari faciant; singulis annis consimilem visitationem et inquisitionem, ac quoties opus fuerit, studiorum ordinationem, in utraque universitate praedicta, juxta constitutiones praedictas faciendo. Quod si aliquo alio tempore eosdem episcopos, vel eorum commissarios, ad dictas respective universitates pro haereticae pravitate, aut aliorum excessuum reformatione, accedere contingat; totiens, quotiens sic fecerint, jus commune, consuetudines, et antiqua, tam ipsorum episcoporum, quam universitatum privilegia inviolabiliter observentur, quibus nolumus ullo modo per praesentem constitutionem derogari.

Ut numerus debitus et conveniens religiosorum in unoquoque monasterio perpetuo habeatur.

Nihil magis laicos, eos potissimum, qui religiosorum locorum fundatores existunt, hoc nostro tempore a similium locorum fundatione deterret, quam quod vident loca religiosa carere numero tum religiosorum, quum aliorum pauperum, quos vel secundum primaevam fundationem, vel secundum portionem reddituum, quos nunc possident, sustinere et alere deberent. Statuimus itaque et ordinamus, ut numerus religiosorum debitus in unoquoque monasterio deinceps habeatur et perpetuo servetur; oneribus ordinariis atque extraordinariis proventuumque praediorum, per maris et fluviorum inundationem, et alioquin, damnis et ruinis pro tempore, propensis et consideratis.

De educatione et exercitio religiosorum.

Quum ex nulla re magis monasteria collabi soleant, quam cum ignari et rerum agendarum imperiti monasteriis praeficiuntur, atque ita expediat habere plures in singulis religiosorum domibus, qui tam in temporalibus quam in spiritualibus modum et usum calleant, ne si quando religiosorum domus vacare contingat, non habeant inter se idoneum de gremio, quem defuncto substituant; statuimus et ordinamus, ut in quolibet monasterio, et loco religioso sit,

juxta "Clement. Ne in agro dominico," instructor aliquis grammatices sufficienter eruditus ad informandum religiosos in grammatica et aliis primitivis scientiis; ex quibus illi, qui in singulis locis ad capeffendas literas aptiores fuerint juxta facultatum possessionem eorundem, mittantur ad universitatem Oxon. vel Cantabrig. ad studendum in sacris literis, ut eo modo cognita lege divina, magis convalescat observantia verae religionis. Et ut abbates et priores diligenter et assidue curent suos religiosos subditos juniores per alios suorum monasteriorum provectiones in regulis, constitutionibus, et ceremoniis sui ordinis institui et informari. Et quos ad administrationem spiritualium seu temporalium aptiores inter suos fratres arbitrentur, eos in administrationibus competentibus exercere satagant; officia cellarii, camerarii, hospitalarii, et alia tum claustralis observantiae, quum exterioris industriae, fratribus ad hoc aptioribus ita impertiendo et committendo, ut in utrisque vicissim triti et exercitati, ad abbatis seu prioris officium, cum vacaverit, habiliores reddantur.

De recipiendis apostatis, et aliis religiosis poenitentibus.

Quum inter opera charitatis numerari soleat, si quis errantem ab errore revocet, et ecclesia nunquam claudat gremium redeunti; statuimus et ordinamus, quod religiosi, qui praetextu capacitatum, seu literarum suorum praesidentium, vel alias superioribus sive invitatis, sive consentientibus, se ab observantia regulari absentarunt in mundo aliquamdiu degentes, se poenitentes fuerint, et bono spiritu ad loca suae professionis redire nitantur, dictorum locorum abbates seu priores ipsos in sua monasteria recipere, et cum omni charitate, quantum per statuta religionis possunt, in iisdem tractare teneantur. Illis duntaxat exceptis, qui dioecesano loci, ex signis et judiciis vehementibus, videantur in necem abbatum, priorum, seu fratrum sui monasterii vel olim conspirasse, vel in posterum conspiraturi, vel eandem necem alioqui molituri. Existimabitur autem bono spiritu reditum ad suum monasterium religiosis precari, si quemvis locum, gradum, aut conditionem in eodem pro sui abbatis aut prioris secundum regulam arbitrio humiliter acceptet et servet; et per testimonium proborum virorum coram abbate, priore, seu ordinario suo, si requiratur, constare poterit, eum, dum extra monasterium agebat, vel saltem per annum ante hujusmodi petitionem proxime praecedentem, si in seculo diutius commoratus est, honeste fuisse conversatum et propositum habuisse redeundi. Quod si taliter receptus postea a suo monasterio, deserta religione, discesserit, eum postea superior ejus in suum monasterium recipere minime hujus vigore statuti teneatur.

Quod literae ex falsa suggestionem impetratae non suffragentur apostatis.

Praeterea statuimus et ordinamus, quod nullus religiosus, qui tria cujusvis probatae religionis vota emiserit, possit per aliquam dispensationem etiam apostolicam, etiam sub plumbo concessam,

fam, suum monasterium, domum, hospitale, five collegium exire, aut aliquod beneficium, servitium, aut cantariam acceptare, nisi prius coram ordinario loci, in quo moratur, suo primitus abbate, priore, magistro, five superiore ad hoc vocato, causam five causas in huiusmodi dispensationis suggestionem expressas, veras ac iustas esse et fuisse probaverit; et pro sic probatis per eundem ordinarium declarari et decerni obtinuerit. Qui contra fecerit, tanquam verus apostata per suum abbatem, priorem, magistrum, five superiorem quemcunque apprehendi, corrigi, et puniri licite poterit, juxta canonicas sanctiones contra apostatas salubriter editas, atque juxta statuta, ordinationes, et consuetudines laudabiles loci illius, a quo sic illicito recesserit.

De ecclesiis appropriatis et hospitalibus.

Curent quoque episcopi singuli in suis dioecibus, ut proprietarii faciant distributiones debitas in parochiis appropriatis, juxta juris exigentiam, sub poena sequestrationis fructuum; et quod infra annum a tempore publicationis praesentis statuti, in singulis ecclesiis parochialibus, monasteriis appropriatis, quarum proventus ad id sufficiant, iudicio ordinarii vel loci dioecisani habentis jurisdictionem episcopalem, canonice instituantur unus vicarius perpetuus, cum sufficiente portione, secundum proventus ecclesiae appropriatae quantitatem et qualitatem curae animarum; et quod infra triennium a publicatione praesen. idem vicarius habeat sufficientem mansionem sumptibus ipsorum proprietariorum (modo emolumenta ex eisdem ecclesiis proprietariis provenientia ad id sufficiant) primitus erectam, et per eundem vicarium postea sustentandam et manutenendam. Et casu, quo emolumenta praedicta ad hoc non sufficiant (quod intelligi volumus ex ipso, quod ad novem libras non extendant) redeat ecclesia in pristinum statum, et instituantur ibidem rector, sicut ante appropriationem fieri consuevit. Hospitalium quoque quorumcunque foundationes, quibus jam magnus cernitur abusus, servantur juxta Clementinam "De religiosis domibus: Quia contingit:" et tam proprietarii praedicti, quam etiam hii, qui hospitalibus praesunt, ad omnia, de quibus supra respective observanda, per fructuum sequestrationem, censuras ecclesiasticas, et alia juris remedia ordinariarum arbitrio cogantur.

De abusibus in capellis sancti Johannis et similium.

Quoniam in diversis partibus hujus regni tam milites et alii, qui sunt de religione crucis signatorum hospitalis sancti Johannis Jerosolymitani, in capellis suis vocatis "Lawless churches and chapels," quam illi in turri London. et alii complures alibi in ecclesiis seu capellis admittunt alienos parochianos ad clandestinorum

et illicitorum conjugiorum solemnizationem, etiam bannis non editis, et ad aliorum perceptionem sacramentorum et sacramentalium, in ecclesiae scandalum et animarum multarum manifestissimum periculum; prohibemus itaque, ne quis deinceps in ecclesiis seu capellis antedictis, vel aliis exemptis, et non exemptis, alterius parochiae parochianum, nisi in casibus a jure permissis, ad solemnizationem matrimonii, five bannis editis five non editis, vel aliorum sacramentorum perceptionem, sine licentia ordinarii, admittat, seu eorum aliquod administret, sub poena excommunicationis, quam contravenientes atque eorum fautores, necnon omnes, qui matrimonium in aliqua huiusmodi ecclesia vel capella, absque licentia dioecisani, solemnizare procurant, seu eucharistiam in festo Paschatis vel circiter, absque licentia sui proprii curati, seu saltem dioecisani, suscipere praesumpserint, noverint se ipso facto incursum; a qua a nemine absolvi possunt, praeterquam ab episcopo, infra cujus dioecesim huiusmodi ecclesiae vel capellae sitatae sunt, aliis tam ordinariis, et curatis, quam partibus etiam laevis prius satisfact. Et praeterea ipsi sacerdotes huic ordinationi aliqua ex parte contravenientes, ad quodcunque beneficium ecclesiasticum, per septennium proxime sequens, ipso facto sint inhabiles.

De dilapidationibus.

Salubriter ab Edmundo, olim Cant. archiepiscopo extitit ordinatum, ut, decedente rectore, ex bonis ipsius tanta portio per loci ordinarium deduci deberet, quanta ad reparandas ecclesiae, et aliarum ejusdem beneficii aedium ruinas videretur sufficere; nos eidem ordinationi addere cupientes, praesenti decreto statuimus et ordinamus, ut beneficiati, qui deinceps aliquid ex bonis praedecessorum suorum, sub nomine vel praetextu reparandarum aedium, vel supplendorum ecclesiae defectuum, ex decreto ordinarii, compositione cum haeredibus, executoribus, vel administratoribus bonorum defuncti, vel alio quocunque modo acceperint, illud totum in earundem aedium reparatione, et defectuum earundem suppletionem infra biennium a tempore receptionis exponere teneantur, deductis expensis (si quae expositae fuerint) circa litem et recuperationem dictae summae receptae. Quod si incumbens resignaverit, aut decesserit, seu alio quocunque modo a beneficio suo recesserit, tunc summa per eum pro dilapidationibus recepta, et non exposita, relinquatur, et realiter tradatur futuro successori, qui, sicut dictam summam nomine dilapidationum recepit, ita in eodem usus exponat, ut supra dictum est. Et ad observationem praemissorum in sua institutione, five admissione juramentum praestent corporale; alioqui institutio ipsa, five admissio ipso jure nulla censeatur.

Papae Rom.
PAULI IV. 3.Archiepisc. Cant.
REGIN. POLI 2.Anno Christ.
1557.Reg. Angliae
MARIAE 5.

Articles set forth by cardinal Pole to be enquired in his ordinary visitation within his diocese of Cant. Ex Holinshed Q. M. p. 1162. &c.

Touching the clergy.

FIRST, Whether the divine service in the church at times, days, and hours be observed, and kept duly, or no?

II. Item, Whether the parsons, vicars, or curates do comely and decently in their manners and doings behave themselves, or no?

III. Item, Whether they do reverently and duly minister the sacraments or sacramentals, or no?

IV. Item, Whether any of the parishioners do die without ministration of the sacraments through the negligence of their curates, or no?

V. Item, Whether the said parsons, vicars, or curates do haunt taverns or alehouses, increasing thereby infamy, slander, or no?

VI. Item, Whether they be diligent in teaching the midwives how to christen children in time of necessity, according to the canons of the church, or no?

VII. Item, Whether they see, that the font be comely kept, and have holy water always ready for children to be christened?

VIII. Item, If they do keep all the names of them, that be reconciled to the duty of the church?

IX. Item, Whether there be any priests, that late unlawfully had women under pretended marriage, and hitherto are not reconciled; and to declare their names and dwelling places?

X. Item, Whether they do diligently teach their parishioners the Articles of the faith, and the Ten commandments?

XI. Item, Whether they do decently observe those things, that do concern the service of the church, and all those things, that tend to a good and christian life, according to the canons of the church?

XII. Item, Whether they do devoutly in their prayers pray for the prosperous estate of the king and queen's majesties?

XIII. Item, Whether the said parsons and vicars do sufficiently repair their chancels, rectories, and vicarages, and do keep and maintain them sufficiently repaired and amended?

XIV. Item, Whether any of them do preach or teach any erroneous doctrine, contrary to the catholic faith, and unity of the church?

XV. Item, Whether any of them do say the divine service, or do minister the sacraments in the English tongue, contrary to the usual order of the church?

XVI. Item, Whether any of them do suspiciously keep any women in their houses, or do keep company with men suspected of heresies, or of evil opinions?

XVII. Item, Whether any of them, that were under pretence of lawful matrimony married and

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now reconciled, do privily resort to their pretended wives; or that the said women do privily resort unto them?

XVIII. Item, Whether they go decently apparelled, as it becometh sad, sober, and discreet ministers; and whether they have their crowns and beards shaven?

XIX. Item, Whether any of them do use any unlawful games; as dice, cards, and otherwise, whereby they grow to slander and evil report?

XX. Item, Whether they do keep residence and hospitality upon their benefices, and do make charitable contributions, according to all the laws ecclesiastical?

XXI. Item, Whether they do keep the book or register of christenings, buryings, and marriages, with the names of the godfathers and godmothers?

Touching the lay people.

First, Whether any manner of person, of what state, degree, or condition soever he be, do hold, maintain, or affirm any heresies, errors, or erroneous opinions, contrary to the laws ecclesiastical, and the unity of the catholic church?

II. Item, Whether any person do hold, affirm, or say, that in the blessed sacrament of the altar there is not contained the real and substantial presence of Christ; or that by any manner of means do contemn and despise the said blessed sacrament, or do refuse to do reverence or worship thereunto?

III. Item, Whether they do contemn or despise by any manner of means any other of the sacraments, rites, or ceremonies of the church, or do refuse or deny auricular confession.

IV. Item, Whether any do absent or refrain, without urgent and lawful impediment, to come to the church, and reverently to hear divine service upon Sundays and holy days?

V. Item, Whether being in the church, they do not apply themselves to hear divine service, and to be contemplative in holy prayer, and not to walk, jangle, or talk in time of the divine service?

VI. Item, Whether any be fornicators, adulterers, or do commit incest, or be bards, and receivers of evil persons, or be vehemently suspected of any of them?

VII. Item, Whether any do blaspheme, and take the name of God in vain, or be common swearers?

VIII. Item, Whether any be perjured, or have committed simony or usury, or do still remain in the same?

IX. Item, Whether the churches, and church-

X x

yards,

yards, be well and honestly repaired and inclosed?

X. Item, Whether the churches be sufficiently garnished and adorned with all ornaments and books necessary; and whether they have a rood in their church, of a decent stature with Mary and John, and an image of the patron of the same church?

XI. Item, Whether any do withhold or doth draw from the church any manner of money or goods, or that do withhold their due and accustomed tithes from their parsons and vicars?

XII. Item, Whether any be common drunkards, ribalds, or men of evil living; or do exercise any lewd pastimes, especially in the time of divine service?

XIII. Item, If there be any that do practise or exercise any arts of magic or necromancy, or do use or practice any incantations, forceries, or witchcraft, or be vehemently suspected thereof.

XIV. Item, Whether any be married in the degrees of affinity or consanguinity prohibited by the laws of holy church, or that do marry, the banns not asked, or do make any privy contracts?

XV. Item, Whether in the time of Easter last any were not confessed, or did not receive the blessed sacrament of the altar, or did unreverently behave themselves in the receiving thereof?

XVI. Item, Whether any do keep any secret conventicles, preaching lectures, or reading in matters of religion, contrary to the laws?

XVII. Item, Whether any do now not duly keep the fasting and embring days?

XVIII. Item, Whether the altars of the church be consecrated, or no?

XIX. Item, Whether the sacrament be carried devoutly to them, that fall sick, with light, and with a little sacring bell?

XX. Item, Whether the common schools be well kept, and that the schoolmasters be diligent in teaching, and be also catholic and men of good and upright judgment, and that they be examined and approved by the ordinary?

Papae Rom.
PAULI IV. 3.

Archiepisc. Cant.
REGIN. POLI 2.

XXI. Item, Whether any take upon them to minister the goods of those, that be dead, without authority from the ordinary?

XXII. Item, Whether the people in every parish be charitably provided for?

XXIII. Item, Whether there do burn a lamp, or a candle before the sacrament; and if there do not, that then it be provided for with expedition?

XXIV. Item, Whether infants and children be brought to be confirmed in convenient time?

XXV. Item, Whether any do keep or have in their custody any erroneous or unlawful books?

XXVI. Item, Whether any do withhold any money or goods bequeathed to the mending of the highways, or any other charitable deed?

XXVII. Item, Whether any have put away their wives, or any wives do withdraw themselves from their husbands, being not lawfully divorced?

XXVIII. Item, Whether any do violate or break the Sundays and holy days, doing their daily labours and exercises upon the same?

XXIX. Item, Whether the taverns or ale-houses, upon the Sundays and holy days, in the time of mass, matins, and evening song, do keep open their doors, and do receive people into their houses to drink and eat, and thereby neglect their duties in coming to church?

XXX. Item, Whether any have, or do deprave, or condemn the authority or jurisdiction of the pope's holiness, or the see of Rome?

XXXI. Item, Whether any minstrels, or any other persons do use to sing any songs against the holy sacrament, or any other rites and ceremonies of the church?

XXXII. Item, Whether there be any hospitals within your parishes, and whether the foundations of them be duly and truly observed and kept, and whether the charitable contributions of the same be done accordingly?

XXXIII. Item, Whether any goods, plate, jewels, or possessions be taken away or withholden from the said hospitals, and by whom?

Anno Christi
1557.

Reg. Angliae
MARIAE 5.

Synodus provincialis Ebor. Ex reg. decani et capit. Ebor. in ann.

In synodo provinciali Ebor. jussu Nicolai archiepiscopi coacta pro provisione et praeparatione armorum pro defensione hujus regni Angliae, habito tractatu super praemissis, tandem convenerunt et consenserunt prout sequitur. Nos igitur considerantes hostium hujus regni Angliae malevolentiam et protervam auda-

ciam, maximum quoque et gravissimum periculum eidem regno ecclesiaeque ejusdem ea ratione imminere; ordinamus et constituimus, quod quilibet clericus provinciae Eborum terras ad modum in statuto nuper pro provisione, exhibitione, et suppeditatione armorum ex parte laicorum faciend. edito in parlamento apud Westm. vi-

De hac provisione armorum a clero in synodis provincialibus facta, ita loquitur Heylin in *Introduct. ad Exam. Histor.* "In a memorable convocation in the 4th and 5th years of Philip and Mary, the clergy taking notice of an act of parliament then newly passed, by which the subjects of the temporality having lands in the yearly value of five pounds and upwards, were charged with finding horse and armour, according to the proportion of their yearly revenues and possessions, did by their sole authority in the convocation impose upon themselves and the rest of the clergy of this land the finding of a like number of horses, armour, and other necessities for the war, according to their yearly income, proportion for proportion, and rate for rate, as by that statute has been laid on the temporal subjects. And this they did by their own sole authority, as was before said; ordering the same to be levied on all such, as were refractory, by sequestration, deprivation, suspension, excommunication, without relating to any subsequent confirmation by act of parliament, which they conceived they had no need of." H. J.

cesimo die mensis Januarii ultimo effluxi inchoato et celebrato, possidens eodem censu et onere, quoad armorum provisionem, exhibitionem, et suppeditationem praedict. teneatur, quo laici in dicto statuto pro provisione, exhibitione, et suppeditatione hujusmodi pro suis terris onerantur. Item, quod quilibet ejusdem provinciae in ordine clerici constitutus, beneficium aut beneficia, promotionesve spirituales, unam vel plures aut pensionem aut pensiones habens seu possidens, quorum valores per se aut simul juncti, quantitatem triginta librarum aut supra constituunt, ad eam proportionem in effectu pro beneficiis, promotionibus, et pensionibus hujusmodi, quoad provisionem, exhibitionem, et suppeditationem hujusmodi obligetur et astringatur, quo laici in dicto statuto, pro rata bonorum suorum mobilium, pro hujusmodi armis onerantur. Et si quis dictae provinciae Eboracen. in ordine clerici constitutus, simul terras et beneficia ecclesiastica habeat, is altero censu tantum, praestantiori scilicet et uberiori, non autem utroque, censeatur et oneretur. Si quis autem hoc nostrum decretum effectualiter non observaverit, sed in aliquo violaverit vel infregerit, is per ecclesiasticas censuras, sequestrationem, et deprivationem, excom-

municationem, suspensionem, aut aliter, pro arbitrio episcopi seu loci dioeceseani, mulctabitur et punietur. Caeterum in eodem decreto nostro universitates Oxoniae et Cantabrigiae, necnon collegia Eaton juxta Windsoariam, et Wickamense prope Wintoniam, ac omnia eorum praedia et bona, ob literarum respectum, ac honestas et pias considerationes, juxta laudabilem et vetustum morem ex hac parte observatum, ab omni armorum sumptu et onere in hac parte ferend. excepimus, et exempta esse volumus. Per hanc vero concessionem nostram ultro et sponte optimis considerationibus factam et oblatam, non intendimus alio modo, quoad praemissa, ulterius astringi, vel obligari, quam laici in dicto statuto de armorum provisione, exhibitione, et suppeditatione teneantur et obligentur. Imo volumus et intendimus, ac tenore praesentium declaramus, quod omnes provisiones, exceptiones, commoditates, et favores, quae aliquo casu et modo dictis laicis in eorum concessione hujusmodi per dictum statutum competunt, aut competere possunt, vel conceduntur, nobis, praelatisque, et clero, et nostrum cuilibet in omnibus competant et reserventur.

Papae Rom.
PAULI IV. 3.

Archiepisc. Cant.
REGIN. POLI 3.

Anno Christi
1558.

Reg. Angliae
MARIAE 5.

Decretum archiepiscopi Cantuar. de armorum provisione episcopo Norwicensi directum cum certificatorio RRmi regi et reginae de iisdem facto. Ex reg. Norwic. Hopton.

REVERENDISSIMO in Christo patri et domino, dom. Reginaldo, miseratione divina tit. S. Mariae in Cosmedin, S. Romanae ecclesiae presbytero Cardinali, Polo nuncupato, Cantuar. archiepiscopo, totius Angliae primati, et apostolicae sedis legato nato, Johannes, permissione divina Norwic. episcopus, obedientiam et reverentiam tanto reverendissimo patri debitas cum honore. Literas reverendi in Christo confratris nostri et domini, dom. Edmundi, permissione divina London. episcopi, nuper undecimo, viz. die mensis Aprilis ult. praeterit. cum reverentia recepimus sub eo, qui sequitur, verborum tenore: Edmundus, permissione divina London. episcopus, reverendo in Christo confratri nostro domino Johanni, eadem permissione divina Norwicensi episcopo, salutem in auctore salutis. Literas reverendissimi in Christo patris ac domini, dom. Reginaldi, miseratione divina etc. legati nati, ad nos una cum quodam decreto annexo directas, et subscriptione dicti reverendissimi patris munitas, sigilloque ejusdem magno figillatas, nuper recepimus exequend. quarum tenores sequuntur, et sunt tales:

Reginaldus, miseratione divina tituli S. Mariae in Cosmedin, S. Romanae ecclesiae presbyter cardinalis, Polus, Cantuar. archiepiscopus, totius Angliae primas, et apostolicae sedis legatus natus, venerabili confratri nostro domino Edmundo, eadem miseratione divina London. episcopo, salutem, et fraternam in Domino charitatem. Cum in sacra synodo provinciali five convocatione praelatorum et cleri nostrae Cantuar. provinciae,

auctoritate brevis regii nobis inscripti et directi, in domo capitulari ecclesiae cathedr. D. Pauli London. 21. die mensis Januar. ult. praeterit. inchoata et celebrata, ac de die in diem, et de loco in locum saepius continuata et prorogata, de consilio et assensu vestris, et aliorum venerabilium confratrum et suffraganeorum nostrorum, totiusque cleri nostrae Cantuar. provinciae in eadem sacra synodo five convocatione congregat. inter nonnulla alia per nos mutuo et unanimi nostro assensu ad Dei gloriam illustrandam, divini cultus augmentum, ecclesiae Anglicanae utilitatem, ordinis clericalis honestatem, regum nostrorum serenissimorum regnique Angliae et ditionum ejusdem tuitionem et defensionem tendentia, ordinata et stabilita ex certis, magnis, arduis, et urgentibus causis per nos eisdem confratribus nostris, et clero praedictae provinciae nostrae Cantuar. propositis, ac inter nos matura deliberatione consideratis et ponderatis, quoddam decretum five institutum pro armorum provisione, exhibitione, et suppeditatione ordinaverimus, promulgaverimus, et stabiliverimus, quod fraternitatem vestram non latere credimus. Nos igitur decretum five institutum hujusmodi in et per totam provinciam nostram Cantuar. praedictam debitae executioni demandari volentes, decretum ipsum sigillo nostro figillatum praesentibus annexum (ne quisquam ignorantiam praetendere possit) vobis transmittimus publicandum; volentes et fraternitati vestrae firmiter injungendo mandantes, quatenus veras copias five exemplaria praedicti decreti five instituti sub sigillo

figillo et literis vestris, harum seriem in se continentibus, universis et singulis venerabilibus confratribus et suffraganeis nostris dictae provinciae nostrae transmittentes, ex parte nostra eis injungatis, quibus nos etiam tenore praesentiam injungimus, quatenus eorum singuli in singulis civitatibus et dioecesi. eorundem coram decano et capitulo cujuscunque ecclesiae cathedralis, ac archidiaconis, et clero suae dioeceseos, prout ad nos et eorum quemlibet pertinet, decretum sive institutum praedictum debite publicent et denuncient, ac ab omnibus, quos illud concernit, observari, et debite executioni mandari mandent, seu sic publicari et denunciari ac observari faciant cum effectu, et curent efficaciter fieri sub poenis et censuris in eodem promulgatis; vosque venerabilis confrater noster, dictum decretum sive institutum in et per ecclesiam vestram cathedralem D. Pauli, ac civitatem et dioec. vestras London. prout ad vos attinet, debite et effectualiter publicari, denunciari, et exequi faciatis. De die vero receptionis praesentium, modoque et forma executionis vestrae earundem, necnon et quid in praemissis feceritis, nos citra primum diem mensis Maii prox. futur. debite certificetis literis vestris patentibus, harum seriem in se habentibus; eisdem venerabilibus confratribus et suffraganeis nostris auctoritate nostra firmiter injungentes, quod eorum singuli citra dictum diem similiter nos certiores facere debite et distincte curent. In cujus rei testimonium sigillum nostrum praesentibus apponi fecimus. Dat. in manerio nostro de Lambeth Winton. dioecesi. 25. die mensis Martii, A. D. M.D.LVIII. et nostrae consecrat. anno tertio.

R E G. cardinalis Cantuariensis.

Illustrissimis, serenissimis, et invictissimis in Christo principibus et dominis nostris clementissimis, dominis Philippo et Mariae, Dei gratia regi et reginae Angliae, Hispaniarum, Franciae, utriusque Siciliae, Iherusalem, et Hiberniae, fidei defensoribus, archiducibus Austriae, ducibus Burgundiae, Mediolani, et Brabantiae, comitibus Haspurgi, Flandriae, et Tirolis, Reginaldus, miseratione divina tit. S. Mariae in Cosmedin, S. Romanae ecclesiae presbyter cardinalis Polus, Cantuar. archiepiscopus, totius Angliae primas, et apostolicae sedis legatus natus, gratiam, felicitatem, obedientiam, fidem, et honorem, in et per quem reges regnant et principes dominantur. Vestris majestatibus regiis per praesens publicum instrumentum, sive has literas nostras testimoniales sigillo nostro sigillatas, ac signis et nominibus notariorum publicorum scribarum nostrorum in hac parte assumptorum subscriptas et consignatas, significamus et notum facimus, quod nos, Reginaldus, archiepiscopus antedict. praelatique et clerus nostrae Cantuar. provinciae in sacra synodo provinciali sive convocatione per nos nuper vigore et auctoritate brevis vestri regii nobis inscripti et directi, in domo capitulo ecclesiae cathedralis D. Pauli London. 21. die mensis Januarii ultimo effluxi, inchoata et celebrata, ac de die in diem, et de loco in locum saepius continuata et prorogata, legitime convocati et congregati, pro quibusdam arduis, ur-

gentibus, et necessariis causis ibi per nos propositis et expositis, et inter nos matura deliberatione consideratis ac ponderatis, inter alia plurima, quae necessariam quandam et praesentaneam provisionem exposcere merito videbantur, illud etiam in consilium adhibuimus, et recta ratione perpendimus; quod quanquam in republica christiana ministrorum Dei ac totius cleri potissimum interesse videatur, ut cum alias semper, tum vel maxime, cum ab hostibus aliquod grave periculum immineat, precibus ardentibus ad Deum optimum maximum fundendis se totos dedant, jejuniis atque lachrymis ejus iram et indignationem placare nitantur, et armis spiritualibus (quae sunt ipsorum militiae propria) alacriter pugnent, quo hostium impetus sine ullo regni discrimine penitus depellatur, et respublica tota salva et incolumis maneat; tamen ea nonnunquam incidit temporis ratio, ut tam clero, quam laicis illa etiam arma, quibus corpora in bello tegi et muniri solent, necessario paranda, et in promptu habenda sint, eo quidem consilio, ut vesani et perditii hostium conatus utroque armorum genere retardari, et prorsus reprimi possint. Nos igitur hoc tempore non modo perversam et perfractam hostium malevolentiam et audaciam, verum etiam maximum et gravissimum periculum, quod patriae atque ecclesiae et fidei catholicae impendere videtur, ante oculos statuentes, nostrarum sane partium duximus nihil omnino praetermittere, quod ad firmam regiarum vestrarum majestatem et universi regni vestri defensionem, et ad communem nostrorum salutem et conservationem ullo modo facere videatur. Ac propterea uno omnium assensu et consensu inter nos convenit, ut quilibet provinciae nostrae Cantuar. antedictae in ordine cleri constitutus, terras ad modum praefinitum in statuto nuper pro provisione, exhibitione, et suppeditatione armorum ex parte laicorum fienda edito, in parlamento apud Westmonasterium 20. die mensis Januarii ultimo effluxi, inchoato et celebrato, possidens eodem censu et onere, quoad armorum provisionem, exhibitionem, et suppeditationem praedictam teneatur, quo laici in dicto statuto pro provisione, exhibitione, et suppeditatione hujusmodi pro suis terris onerantur. Item, quod quilibet ejusdem provinciae in dicto ordine cleri constitutus, beneficium aut beneficia, promotionesque spirituales, unam vel plures aut pensionem vel pensiones habens seu possidens, quorum valores per se aut simul juncti, quantitate triginta librarum aut supra constituent, ad eam proportionem in effectu pro beneficiis, promotionibus, et pensionibus hujusmodi, quoad provisionem, exhibitionem, et suppeditationem armorum hujusmodi obligetur et astringatur, quo laici in dicto statuto pro rata bonorum suorum mobilium pro hujusmodi armis onerantur. Et si quis dictae provinciae nostrae Cantuar. in ordine cleri constitutus, simul terras et beneficia ecclesiastica habeat, is altero censu tantum, praestantiori scilicet et uberiori, non autem utroque, censeatur et oneretur. Si quis autem hoc nostrum decretum effectualiter non observaverit, sed in aliquo violaverit vel infregerit, is per ecclesiasticas censuras sequestrationem

nem et deprivationem, excommunicationem, suspensionem, aut aliter pro arbitrio episcopi seu loci dioecesani multabitur et punietur. Cæterum in eodem decreto nostro universitates Oxoniae et Cantabrigiae, necnon collegia Eaton juxta Windesoram, et Wickhamiense prope Wintoniam, ac omnia eorum praedia et bona ob literarum respectum, ac honestas et pias considerationes juxta laudabilem et vetustum morem in hac parte observatum, ab omni armorum sumptu et onere in hac parte ferendo excepimus, et excepta esse volumus. Per hanc vero concessionem nostram, ultro, et sponte, et optimis considerationibus factam et oblatam, non intendimus aliquo modo, quoad praemissa ulterius astringi vel obligari, quam laici in dicto statuto de armorum provisione, exhibitione, et suppeditatione tenentur et obligantur. Immo volumus et intendimus, ac tenore praesentium declaramus, quod omnes provisiones, exceptiones, commoditates, et favores, qui aliquo casu aut modo dictis laicis in eorum concessione hujusmodi praedictum statutum competunt, aut competere possunt vel conceduntur, nobis, praelatisque, et clero, et nostrum cuilibet integre in omnibus competant et reserventur. In quorum omnium et singulorum praemissorum fidem et testimonium nos Reginaldus, cardinalis et archiepiscopus antedictus, has praesentes literas testimoniales, sive hoc praesens publicum instrumentum ad humilem rogatum praelatorum et cleri praedicti sigilli nostri appensione, manus nostrae subscriptione, signis et subscriptionibus Anthonii Huse armigeri, registrarii, et scribae nostri principalis, et Johannis Incent, notariorum publicorum, fecimus et jussimus communiri. Dat. octavo die mensis Martii, A. D. juxta computationem ecclesiae Anglicanae M.D.LVII. indictione prima, pontificatus vero sanctissimi in Christo patris et domini nostri, dom. Pauli, div. prov. ejus nominis

Papae Rom.
PAULI IV. 3.

Archiepisc. Cant.
REGIN. POLI 3.

Cardinalis Poli commissio ad procedend. contra haereticos. Ex reg. Pole fol. 29. b.

REGINALDUS, etc. dilectis nobis in Christo filiis, magistris Nicolao Harpesfeld legum doctori, archidiacono nostro Cant. Roberto Collins in legibus bacalareo, civitatis et dioec. nostrae Cant. commissario generali, Richardo Fawcett, et Hugoni Turnbull, sacrae theologiae professoribus, necnon Johanni Milles, Hugoni Glasier, et Johanni Warren, sacrae theologiae bacalareis, ecclesiae nostrae cathedralis et metropoliticae Christi Cant. canonicis et praebendariis, salutem, gratiam, et benedictionem. Quum ex nonnullorum fide dignorum relatione et insinuatione non sine cordis nostri amaritudine intelleximus, quod nonnulli nostrarum civitatis et dioec. Cantuar. subditi quosdam errores, haereses, et damnatas opiniones, juri divino, ac catholicae et apostolicae ecclesiae determinationi obviantes, contrarias, et repugnant, non modo tenent, credunt et affirmant; verum etiam errores, haereses, et damnatas opiniones in aliorum Christi fidelium aures ferere et instillare, ac imperitae plebis mentes suis nephariis opinionibus inficere satagunt, et conan-

VOL. IV.

papae quarti, anno tertio, et nostrae consecrationis anno secundo.

Quarum quidem literarum vigore et auctoritate nos Edmundus, episcopus antedictus, literas praedictas, ac decretum antedictum vestrae fraternitati praedictae tenore praesentium publicamus, ac veram copiam eorundem nostra manu subscriptas eidem fraternitati vestrae transmittimus, firmiter injungentes, et debita cum reverentia mandantes, quod omnia et singula in literis et decreto hujusmodi contenta in omnibus et per omnia, quantum ad eos quovismodo attinet, executioni mandare et perimplere; ac certicatorium debite transmittere eadem vestra fraternitas infra tempus limitatum diligenter et solícite curet, ac fideliter et efficaciter curari faciat. In cujus rei testimonium has literas nostras fieri fecimus, et sigillo et subscriptione nostris roboravimus. Dat. in palatio nostro London. 28. die mensis Martii, A. D. M.D.LVIII. et nostrae translat. anno xix.

Quarum quidem literarum reverendissimarum auctoritate et vigore nos Johannes, episcopus antedictus, decretum sive institutum, de quo supra fit mentio infra ecclesiam nostram cathedralem S. Trinitatis Norwicen. in sacra synodo ibidem post festum Paschae ultimae jam elapsae celebrata coram decano et capitulo ejusdem ecclesiae, ac archidiaconis nostris, et coram nonnullis aliis cleri nostri dioec. publicavimus, et denunciavimus, ac in aliis partibus dictae dioec. nostrae Norwicensis per commissarios nostros legitime deputatos publicari et denunciari fecimus, ac debitae executioni juxta omnem vim, formam, tenorem, et effectum dictarum literarum reverendissimarum, quantum in nobis est, demandari demandavimus. In cujus rei testimonium sigillum nostrum praesentibus apponi fecimus. Dat. Norwici 20. die mensis Maii, A. D. M.D.LVIII.

Anno Christi
1558.

Reg. Angliae
MARIAE 5.

tur, in animarum suarum salutis interitum et detrimentum, ac aliorum Christi fidelium exemplum longe perniciosum, in ecclesia Dei non ferend. nos autem praemissa conniventibus oculis praeterire nolentes, sed, ne illud venenum latius serpat, opportunum et necessarium remedium pro pastoris officii nostri debito, quantum cum Deo possumus, adhiberi volentes, de vestra sana doctrina, fidei zelo, vitaeque et morum integritate, exactaque in rebus gerendis dexterritate specialem in Domino fiduciam obtinentes, ad inquirend. de et super omnibus et singulis articulis haeresis cujuscunque, ac etiam ad examinandum omnes et singulos subditos infra civitatem et dioec. ac immediatas jurisdictiones ecclesiae nostrae Christi Cant. residentes et commorantes, de et super haeresibus et erroribus quibuscunque in fide christiana suspectos, detectos, denunciandos, inquisitos, vel accusatos, aut in posterum detegendos, denunciandos, inquirendos, vel accusandos, ac quoscunque testes ubicunque locorum infra civitatem et dioec. ac immediatas jurisdictiones ecclesiae nostrae Christi

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174 CARD. POLI COMMISSIO AD PROCED. CONTRA HAERETICOS.

sti Cant. commorantes et degentes, aliaque probationum genera quaecunque pro veritate praemissorum eruend. quomodolibet requisita, recipiend. et admittend. testesque hujusmodi in forma jurandorum testium jurand. et examinand. ac omnibus aliis viis, modis, et juris formis, quibus melius et efficacius poteritis, de veritate praemissorum, etiam summarie et de plano, ac sine strepitu et figura judicii cognoscend. inquirend. et investigand. et si per examinationem et investigationem hujusmodi aliquem, vel aliquos, alicujus haeresis, seu impiae opinionis crimine contractum seu contractos, involutum seu involutos esse compereritis et inveneritis, ab erroribus suis revocand. eumque et eos, si errorum suorum pertaesum vel pertaesos esse inveneritis, ad errorum suorum hujusmodi retractationes, abjurationes, et renunciatione, inducend. et subsequenter in sacrosanctae ecclesiae gremium admittend. et recipiend. ac alias, prout juris et aequitatis ratio persuaferit, absolvend. et dimittend. paenitentiosque salutes et condignas pro commissis suis hujusmodi infligend. et imponend. pertinacem vero vel pertinaces, obstinatum aut obstinatos, erroribusque, haeresibus, et damnatis opinionibus suis obstinate et pertinaciter in-

haerentes, et ad unitatem ecclesiae redire nolentes, ex coetu fidelium rejiciend. et exterminand. ac seculari potestati (si facti atrocitas ita exposceret) committend. tradend. et liberand. caeteraque omnia et singula faciend. exercend. et expediend. quae in praemissis et circa ea necessaria fuerint, seu quomodolibet opportuna; vobis et vestrum cuilibet, conjunctim et divisim (ita tamen quod singulis sententiis diffinitivis contra haereticos quoscunque ferend. et promulgand. duorum vestrum, ad minus, accesserit unanimis assensus et consensus) vices nostras committimus cum cujuslibet coercionis canonicae potestate; vosque commissarios et delegatos nostros in hac parte, conjunctim et divisim, sub qualitate praemissa ordinamus, deputamus, et constituimus per praesentes, ad nostrum beneplacitum duntaxat duratur. prioribus nostris literis commissionalibus tibi praefato magistro Roberto Collins alias factis, in suo robore nihilominus permansuris. In cujus rei testimonium sigillum nostrum praesentibus apponi fecimus. Dat. in manerio nostro de Lambehith vicesimo octavo die mensis Martii, anno Domini M.D.LVIII. et nostrae consecrationis anno tertio.

Papae Rom.
PAUL. IV. 4.

Archiepisc. Cant.
REGIN. POLI 3.

Anno Christi
1558.

Reg. Angliae
MARIAE 6.

Card. Poli significatio regiae majestati contra quosdam haereticos. Ex reg. Pole fol. 30. b.

ILLUSTRISSIMIS et serenissimis in Domino principibus et dominis nostris, dominis Philippo et Mariae, Dei gratia regi et reginae Angliae, Hispaniarum, etc. Reginaldus, miseratione divina tituli sanctae Mariae in Cosmedin sanctae Romanae ecclesiae presbyter cardinalis Polus, Cant. archiepiscopus, etc. honorem, reverentiam, et obedientiam in eo, per quem reges regnant et principes dominantur. Vestris regiis majestatibus tenore praesentium significamus, quod dilecti nobis in Christo magistri Nicolaus Harpesfeld legum doctor, archidiaconus noster Cant. et Robertus Collins in legibus bacalareus, commissarii nostri in hac parte, una cum magistris Richardo Fawcett, et Hugone Turnbull, sacrae theologiae professoribus, Johanne Milles, Hugone Glasier, et Johanne Warren, sacrae theologiae bacalareis, conjunctim et divisim commissarii nostri in hac parte sufficienter et legitime constituti, contra et adversus quosdam Johannem Corneford paroch. de Wrotham, Christophorum Browne de villa de Maydstone, Johannem Hurst paroch. de Alheford, Catherinam Knight paroch. de Thorneham, et Aliciam South paroch. de Beddenden, nostrarum Cantuar. dioec. et jurisdictionis, de et super nefando crimine haereseos apud bonos et graves enormiter diffamatos, ac super reatu earundem iisdem commissariis nostris respective detectos, delatos, et denunciatos rite et legitime procedentes (examinatione praevia) compererint et invenerint eosdem Johannem Corneford, Christophorum Browne, Johannem Hurst, Catherinam Knight, et Aliciam South, ac eorum quemlibet nonnullos errores, haereses, ac damnatas et scandalosas opiniones

catholicae et apostolicae ecclesiae determinationi obviantes, contrarias, et repugnantes, coram eisdem commissariis nostris confessos fuisse, affirmasse, defendisse, et eisdem firmiter credidisse; necnon eosdem errores, haereses, et damnatas opiniones pertinaciter et animo indurato saepe numero manutenuisse, et defendisse, ac in eisdem permansisse, ac ab eisdem nullo modo repiscere curasse, sed ad sanctae matris ecclesiae gremium redire penitus neglexisse ac recusasse; ideo iidem commissarii nostri eosdem Johannem, Christophorum, Johannem, Catherinam, et Aliciam, ac eorum quemlibet saepius respective monitos, et ad ecclesiae unitatem redire hortatos, et eorum salutaribus monitis parere omnino spernentes, tanquam oves morbias, a grege dominico (ne alios vestros subditos sua contagione inficiant) ejiciendos et eliminandos fore decreverint; ipsosque Johannem, Christophorum, Johannem, Catherinam, et Aliciam, ac eorum quemlibet respective, occasione iniquitatum suarum inveteratarum hujusmodi haereticos, et haereticis opinionibus credentes et inhaerentes, mediantibus eorum sententiis diffinitivis respective, pronunciaverint et decreverint. Cum igitur sancta mater ecclesia non habeat, quod ulterius facere et exequi debeat in hac parte, vestris regiis sublimitatibus et brachio vestro seculari dictos haereticos et relapsos relinquimus, condigna animadversione plectendos. In cujus rei testimonium nos Reginaldus cardinalis, archiepiscopus et legatus natus antedictus, sigillum nostrum praesentibus apponi fecimus. Dat. in manerio nostro de Lambehith septimo die mensis Julii, anno Domini M.D.LVIII. et nostrae consecrationis anno tertio.

Cardinal

Card. POLE's letter about the discharge of first fruits. 175

Papae Rom.
PAULI IV. 4.

Archiepisc. Cant.
REGIN. POLI. 3.

Anno Christi
1558.

Reg. Angliae
MARIAE 6.

*Cardinal Pole's letter about the discharge of first fruits. Ex reg. Bonner fol. 439.
et ex reg. Lacey Exon. fol. 34, 35.*

AFTER our hartye commendacyons. Wheare it pleased the kinge and quenes majesties by acte of parlyamente to give up to our dysposycion, all the spyrituall revenues beinge in theire possessyon or reversion, and also to renounce, and clerlye to relinquishe from theym all the perpetuall tenthes and annuall rentes payde by the clergie, and reserved by literes patentes "Nomine decimae;" all whiche revenues, tenthes, and rents reserved, were assigned to the paymente of all suche penyons, annuities, fees, and other chardges, as the clergy undertoke to paye, and thereof to discharge the kinge and quenes majesties; we according to the truste committed to us, have beyn very carefull, not onely to dispose the saide revenues with all conveniente spede possible, but also to discharge the saide clergie from paymente of their perpetuall tenthes, and rents reserved "Nomine decimae." Which thinges before this tyme, for wante of perfecte understandinge of the state of the foresayde revenue, we colde not so fullye performe, as our desire was; and yet nevertheles, by our lettres hearetofore sente to yow, we gave order of all the benefices of twenty marks, and under, to be discharged of there sayde tenthes at and from Christmas laste paste, as by our said letters moore at large maye appear. Now understanding by the view of suche accomptes, as have beyn taken this two yeares paste, that there dothe remayne (the saide penyons and other paymentes discharged) suche an overplus, and some of money, as will suffice for the discharge of th' one halfe of all the tenthes, as well of byshopricks, as of other benefices ecclesiastical, as also of the annuall rentes payde by the cathedral churches and other ecclesiastical persons "Nomine decimae;" and calling also to our remembraunce the great charges, wherewith the clergy is burdened, aswell with the paymentes of subsidies, as provision of armour for defence of the realm, we have thoughte good for the ease and helpe of the residewe of the sayde clergie to remitt and clyerlye discharge th' one half of there sayde perpetuall tenths at and from Christmas laste paste; and likewyse also clyerlye to remitt th' one half of the annuall rentes reserved by lettres patentes "Nomine decimae" from hensforthe. And for your better understand-

inge of our pleasure and order heerein, we have sente unto you hearwithe certain articles devised for the better executyon of the premises, the which we require you to consider and diligently to execute, according as the same or any of theym shall appertayne to you; to the intent, that not onely this our order may take good effecte accordinge to our desire, but that also the said clergie may the sooner be exonerate from paymente of the resydewe, and there tenthes; and also suche impropriatyons, portyons, penyons, glebe, tithes, and other commodities spirituall and ecclesiasticall, leste to our order and disposityon for the benefit of the church, maye the soner and the better be disposed accordinge to the godly intentes of the kinge and quene's majesties, and the desired purpose of our travell. And this we require you earnestlye to attende as well for the wealth of the clergy, as for your owne profitt and commoditie. And further also, wheare there dothe remayne certeyn somes of money dewe upon your two laste accomptes ended at Michilmas laste, the state whereof you have in writing, as well what is in your handes alrede receaved, as what is dewe by others; we require you and also charge you, that immediately upon the receipt hereof, or at the furthest, before the 5th. day of Maye nexte cominge, you sende all suche money, as well remaininge in your handes, as shall come to your handes, as also all that, whiche the laste yeare we willed you to bestow in chests safelye to be kepte, and to paye the same, where at your sendinge we shall appointe you. And yf upon the conclusyon of youre nexte accompte there shall remayne any sum of money (all paymentes of penyons, annuities, etc. discharged) we require and chardge you, that the sayde money may be sente hither to be payd to such persons, as we shall appointe; all which somes as well remaining upon your laste accomptes, as shall remaine upon your nexte accompte, shal be employed to the benefit of the church in suche sorte, as by us, with th' advice of such, as were put in truste by the consente of all the byshoppes being here present at the laste parliament, shall be ordered. Thus far you well. From Grenewiche the firste of April, M.D.LVIII.

REGINALDUS cardinalis Cantuar.

Articles devised for the discharge of the clergie in some portyon of their tenthes.

FIRSTE, My lordes grace is contented, that the haulfe tenthes dewe at and from the feaste of Christmas laste paste, as wel of benefices and prebendes, as of rentes^a reformed by

lettres patentes "Nomine decimae," shall be discharged, over and besydes the tenthes of benefices of twenty marks, and under, already remitted by former lettres.

^a F. reserved.

Item,

176 *Discharge of the clergy in some portion of* TENTHS.

Item, That there be made by the byshop or his channellor, and two of the clergy speciallye chosen for that purpose, a diligente serche of all the pencyonaries deade, promoted, and marryed, and likewise of all other having fees, annuyties, and corrodies, by any means extincte; and the same to be certified before the nexte accompte.

Item, Wheare certaine byshopps, upon the order of the remission of the halfe tenthes, shall not be liable to paye the pencyons, annuytes, etc. allotted to there charges; and divers other byshopps shall have remayninge in there handes an overplus above there charge; it is ordered, that the overplus of the one shall supply the wantes of the other, as hereafter particularlye followeth.

First, Wheare the diocesse of Canterbury and Rochester is overburthened in the some of clxviii.l. xvi.s. i.d. $\frac{1}{4}$. and must be releaved thereof; it is ordered, that the annuyties of maister Lee lx.l. Mr. Godfrey xl.l. Mr. Argall xl.l. and Maister Childey xxvi.l. xiii.s. iii.d. beinge in the hole clxvi.l. xiii.s. iii.d. shall be taken from the charge of Canterbury and Rochester, and allotted to the charge to the byshop of Sarum, who hath an overplus of ccxxvi.l. ix.s. ix.d. his payments and the half tenthes discharged.

Item, Wheare the byshop of London is overcharged, over and above ccxxv.l. xiii.s. viii. d. for synodals appointed to the abbot of Westminster in the some of dccclvi. l. viii.s. viii. d. it is ordered, that the byshop of Norwiche, who hath an overplus of dvi.l. xix.s. viii. d. ob. shall take to his charge owte of the same some so many of the penyons, annuities, etc. of such, as be allotted to the sayde byshop of London, as shall amounte to the some of cccc.l. and the byshop of Exon, who hath an overplus of dxii.l. xvii.s. xi. d. shall have allotted to his charge of the pencyons, annuyties, etc. now beinge in the chardge of the faide byshop of London, as shall amounte to the some of cccclvi. l. viii.s. viii. d.

And wheare the diocess of Elie is overcharged by xxxiii.l. xii.s. ii. d. and Lincolne likewise overcharged xlviii.l. xviii. s. iii. d. and Bathe likewise overcharged cvii.l. iiiii. d. and Gloucester likewise overcharged cxxx.l. xvi.s. vi. d. and Oxforde cxv.l. xvi. d. amountinge in the hoole to ccccxv.l. viii. s. vii. d. it is ordered, that so many pencyons, annuyties, fees, and corrodies, as do amounte to the said severall some, shall be taken from the charge of the sayde byshoppes, and allotted to the byshop of Peterborough, who hath an overplus of ccccxvi. c.l. xii. s. iiiii. d.

Item, Wheare the diocess of Wigorn is overcharged by cxxxii.l. v.s. viii. d. it is ordered, so many pencyons, annuities, etc. as do amounte to the faide some, shall be taken from the chardge of the said byshop, and allotted to the bishop of Hereford, who hath an overplus of ccl.l. xvi. s.

Item, Wheare the diocess of Winton is overcharged by the some of cxxix. l. iii. s. vii. d. it is ordered, that so many penyons, annuyties, etc. as doo amounte to the said some, shall be taken from the charge of the faide bishop^b of Chicester, who hath an overplus of cxxxv. l. xviii. s. viii. d.

Item, Wheare the diocess of Coven. and Lich. is overcharged by dciiii. l. ii. s. vi. d. it is ordered, that so many penyons, annuyties, etc. as doo amounte to the sayde some, shall be taken from the charge of the faide byshop, and allotted to the charge of the byshop of St. David, who hath an overplus dcxli. l.

Item, Wheare the moyte of the tenthes is discharged after and from Michalmas laste paste, if any of the collectors shall have gathered anye of the sayde tenthes due at Christmas M.D.LVII. that they every such collectors shall repaye all and every such some, as he hath received over and above the moytie thereof, or else to returne forsomuch in dyscharge of the subsidie graunted by the clergie to the quenes majesties this yeare.

Item, It is ordered, that wheare diverse byshopps (the moytie of the tenthes now beinge discharged) have a wante of revenue for the payment of such fees, annuyties, pencyons, and corrodies, as be in there chardge to paye, and therefore muste turne over parte of there paymente to the other bisshoppes, who have an overplus of revenue remayninge as is afore specified; it is ordered, that such as shall be turned over, shall be pensioners onelye, and suche as be nowe preistes, or have beyn religious men, for the advoydinge of exclamacyon.

Item, Forasmuch as the feaste of our Ladie is nowe paste, and pencyons then due cannot be well set over at this tyme to suche byshop, as shulde^c reliefe theym, that be overcharged; it is ordered, that all these bisshoppes, whiche by this order shulde releve the overcharged, shall sende to the byshoppes so overcharged, the moyty of so much money, as is appointed to theym for the overcharge of the hole yeares, for the payment of the said penyons, etc. due at our Ladieday laste paste, and betwixte this and Michalmas nexte th' order before specified to be put in execution.

REGINALDUS cardinalis Cantuar.

^b F. inferenda "and allotted to, the bishop."

^c F. relieves.

Papae Rom.
PAULI IV. 4.Archiepisc. Cant.
REGIN. POLI 3.Anno Christi
1558.Reg. Angliae
MARIAE 6.*Breve regium de comburendis haereticis.* Ex Fox pr. ed. fol. 1676.

Vicecomiti M. de haereticis comburendis.

PHILIPPUS et Maria, Dei gratia rex et regina Angliae, Hispaniarum, Franciae, utriusque Siciliae, Hierusalem, et Hiberniae, fidei defensores, archiduces Austriae, duces Burgundiae, Mediolani, et Brabantiae, comites Haspurgi, Flandriae, et Tirolis, vicecomiti M. salutem. Cum reverendus in Christo pater Edmundus, London. episcopus S. T. R. D. et R. P. suae dioecesis in causa haereticae pravitatis ex officio suo legitime procedens, haereticos manifestos pronunciaverit et declaraverit, ipsosque foro seculari relinquendos fore decreverit, et realiter reliquit, juxta leges et sanctiones in hac parte editas; prout per literas suas nobis inde directas, plenius apparet et continetur: nos igitur, ut zelatores justitiae, et fidei catholicae defensores, considerantes, quod sancta mater ecclesia non habet ulterius, quod faciat in praemissis, volentes ipsam sanctam matrem ecclesi-

am, ac jura et libertates ejusdem manutenere et defendere, ac hujusmodi haereticos et errores de regno nostro Angliae, quantum in nobis est, radicitus extirpare, ac haereticos sic convictos animadversione condigna puniri, attendentes hujusmodi haereticos sic convictos, et damnatos, juxta legem et consuetudinem regni nostri Angliae, ignis incendio comburi debere; tibi praecipimus firmiter injungentes, quod praefatos, &c. statim post receptionem praesentium apud villam nostram de B. infra comitatum praedictum, ubi magis expedire videris, coram populo igni committi, et in eodem igne realiter comburi facias, in hujusmodi criminis detestationem, aliorumque christianorum exemplum manifestum: et hoc sub periculo incumbens nullatenus omittas. Testibus nobismetipsis apud Westmonasterium 13. die N. annis regnorum nostrorum 5. et 6.

MARTEN.

Concessio juris patronatus beneficiorum, etc. per reginam. Ex reg. Pole fol. 31. b.

PHILIPPUS et Maria, Dei gratia rex et regina Angliae, Hispaniarum, Franciae, utriusque Siciliae, Jerusalem, et Hiberniae, fidei defensores, archiduces Austriae, duces Burgundiae, Mediolani, et Brabantiae, comites Haspurgi, Flandriae, et Tirolis, omnibus, ad quos praesentes literae nostrae pervenerint, salutem. Cum in parlamento inchoat. et tent. apud Westmonaster. vicesimo primo die Octobris, annis regnorum nostrorum secundo et tertio, inter alia inactitatum existat, quod diversae et nonnullae rectoriae, et beneficia impropriata, terrae glebales, decimae, oblationes, pensiones, portiones, proficua, et emolumenta ecclesiastica et spiritualia, quae a vicesimo anno regni nuper regis Henrici octavi, patris nostrum praefatae reginae, ad manus et possessionem ejusdem nuper regis, et similiter a morte ipsius nuper regis ad manus nuper regis Edwardi sexti, fratris nostri praefatae reginae, et postea ad manus et possessionem nostras, ut in jure nostrum dictae reginae de statu haereditario devenerunt, disponentur, ordinarentur, applicarentur, et converterentur per reverendissimum in Christo patrem Reginaldum Polum cardinalem, et adtunc de latere legatum sanctissimi domini nostri papae et sedis apostolicae, et nunc Cantuar. archiepiscopum, ac primatem et metropolitanum Angliae, ad inaugurationem et incrementum victuum incumbent. praedict. vel aliorum curarum et beneficiorum indigent. vel aliter in praedictorum sustentationem, aut scholarium exhibitionem infra regnum nostrum Angliae et dominia ejusdem, prout ejusdem domini cardinalis sapientiae divinitus imbutae et discretionis suae commodissimum videbitur maxime opportunum; prout per eundem actum plenius apparet. Quo-

Vol. IV.

rum quidem beneficiorum ac rectoriarum impropriatarum patronatus et vicariarum in manibus et possessione nostris in jure nostrum praefatae reginae ut de statu haereditario jam existunt; cumque etiam nobis datur intelligi, quod per multae praedictarum vicariarum ad praesens sunt vacuae, et curatoribus omnino indigent infra universas regni nostri dioeceses, partim ratione mortis incumbentium earundem vicariarum nuper morientium, ac praecipue pro eo, quod redditus et reventiones earundem vicariarum adeo tenues et angusti sunt, quod non sufficientiant ad habiles et eruditos curatores ibidem alend. et sustentand. per cujus defectum eo deventum est, quod populus et plebs noster hujus regni nostri Angliae, in sincera et catholica doctrina atque religione minime erudiantur, nec sacramenta neque sacramentalia congruenter ejusdem administrentur, non sine summa omnipotentis Dei ira et indignatione, ac animarum multorum christianorum maximo periculo atque discrimine: quorum quidem omnium onus et cura ad ordinarium cujusque dioec. potissimum et proprie spectant; cui si omnium et singulorum beneficiorum patronatus, infra fines suae dioec. existentium distributio committeretur, tanto magis obligaretur ad habiles et idoneas personas in et super omnibus et singulis vicariis et beneficiis praedictis providend. et collocand. Nos igitur cupientes de hac cura nos penitus exonerare, ac in consideratione summae septem mille librarum legalis monetae Angliae, quam dictus reverendissimus in Christo pater, dominus cardinalis Polus, una cum consensu reliquorum praelatorum hujus regni nostri Angliae, de redditibus, reventionibus et commoditatibus praedictorum beneficiorum, sua

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sponte,

sponte, gratissime, non rogatus, sed ex mera et spontanea sua voluntate nobis obtulit, et ad manus nostras proprias dictae reginae deliberavit, ad sustentationem et meliorem supportationem grandium onerum, per nos in defensione regni nostri praedict. ac dominiorum subditorumque nostrorum ejusdem regni, antehac necessario sustentatorum; in quorum quidem cardinalis et reliquorum praelatorum gratitudinis et benevolentiae consideratione, absque aliquali eorum in hac parte petitione seu intercessione, sed maxime in conscientiae nostrae oneris exonerationem, statutum et decretum est nobis, concedere cuilibet archiepiscopo et episcopo, infra praedictum regnum nostrum Angliae, omnes et singulos nostros patronatus rectoriarum, vicariarum praedict. rectoriarum impropriatarum infra dioec. suas proprias existentium, et pro pleniori declaratione voluntatis nostrae in hac parte, et pro meliori securitate et assurantia praedictorum patronatum praedict. vicariarum, rectoriarum, et promotionum spiritual. infra dioec. praedict. reverendissimi in Christo patris, domini cardinalis Poli, Cantuar. archiepiscopi; scitis quod nos praefat. rex et regina, tam pro specialibus considerationibus supradictis, quam pro diversis aliis rationabilibus causis et considerationibus nos ad praesens specialiter moventibus, de gratia nostra speciali, ac ex certa scientia, et mero motu nostris, dedimus et concessimus, ac per praesentes pro nobis, haeredibus, et successoribus nostrum praefatae reginae, damus et concedimus praefato reverendissimo patri, cardinali Polo, Cant. archiepiscopo, omnia illa nostra patronatus, advocaciones, donationes, liberas dispositiones, et jura patronatum vicariarum, rectoriarum, et ecclesiarum nostrarum de Hernehil, Folkeston, Reynham, Bredgar, Sellinge, Smerden, Graveney, Sitingborne, Lydde, Tilmanston, Kennington, Maydeston, Nonnyngeton, Godneston, Ashe, Whitestable, Leede, et Salmiston, cum Deane, cum eorum juribus et pertinentiis universis, in comitatu nostro Cant. ac infra dictam dioec. Cantuar. adeo plene, libere, et integre, ac in tam amplis modo et forma, prout nos, aut dictus pater, vel frater nostrum praefatae reginae, a dicto anno vicesimo regni dicti nuper regis Henrici octavi,

patris nostrum praefatae reginae, eadem patronatus, advocaciones, donationes, liberas dispositiones, et jura patronatum unquam habuimus, tenuimus, vel gavisi fuimus, habuerunt, tenuerunt, vel gavisi fuerunt, seu habere, tenere, vel gaudere debuimus aut debuerunt; et adeo plene libere, et integre, ac in tam amplis modo et forma, prout ea omnia cum pertinentiis, ad manus et possessionem nostras, seu ad manus et possessionem praedictorum fratris et patris nostrum praefatae reginae, Henrici octavi, et Edwardi sexti, seu ad manus et possessionem eorum alterius, a dicto anno vicesimo regni regis Henrici octavi, patris nostrum dictae reginae devenit, seu devenire debuer. ac in manibus et possessione nostris jam existunt, seu existere debent vel deberent, ratione vel praetextu alicujus actus parlamenti, seu aliquorum actuum parliamentorum, seu quocunque alio legali modo, jure, et titulo habend. tenend. et gaudend. et singula praedictos patronatus, advocaciones, donationes, liberas dispositiones, et jura patronatum, vicariarum, rectoriarum, et ecclesiarum praedictarum, cum eorum pertinentiis universis, praefato reverendissimo in Christo patri, cardinali Polo, Cant. archiepiscopo, et successoribus suis, Cant. archiepiscopis, in perpetuum tenend. de nobis, haeredibus, et successoribus nostrum praefatae reginae, in liberam, puram, et perpetuam eleemosynam, pro omnibus servitiis et demandand. quibuscunque. Eo, quod expressa mentio de vero valore annuo, aut de certitudine praemissorum, sive eorum alicujus, aut de aliis donis sive concessionibus per nos, seu per aliquem progenitorum nostrum praefatae reginae, praefato reverendissimo in Christo patri, card. Polo, Cant. archiepiscopo, ante haec tempora fact. in praesentibus minime fact. existit, aut aliquo statuto, actu, ordinatione, provisione, sive restrictione inde in contrarium fact. edit. ordinat. seu provis. aut aliqua alia re, causa vel materia quacunque in aliquo non obstantibus. In cujus rei testimonium has literas nostras fieri fecimus patentes. Testibus nobis ipsis apud West. quinto die Novembris, annis regnorum nostrorum quinto et sexto. Per breve de privato sigillo.

KEMPE.

Papae Rom.
PAULI IV. 4.Archiepisc. Cant.
REGIN. POLI 3.Anno Christi
1558.Reg. Angliae
MARIAE 6.*Convocatio provinciae Cantuar.*

CONVOCATIO provinciae Cantuar. ad 11. Novembris prorogata, eo die ad 17. ejus-

dem mensis continuata, et per mortem reginae Mariae et cardinalis Poli soluta fuit.

Alia

Papae Rom.
PAULI IV. 4.

Sede Cant. vacante.

Anno Christi
1558.

Reg. Angliae
ELIZAB. I.

Alia convocatio post bimestre spatium per breve Elizabethae reginae, sede archiepiscopali vacante, decano et capitulo Cant. directum 24 Jan. M.D. LVIII. celebrabatur. Ex regist. convoc.

In quo brevi conceditur, quod convocatio fiat in templo D. Pauli London. vel alibi.

VICESIMO quarto Januarii die episcopo London. cum episc. Wigorn. Cov. et Lichf. domum capitularem S. Pauli intransibis, ac more solito sedentibus, Henricus Cole L. L. D. vicarius generalis decani et capituli Cant. nomine eorum praesentavit praedictis episcopis literas commissionales decani et capituli Cant. Quibus lectis, praedicti episcopi acceptaverunt onus commissionis in se. Deinde episc. London. exhibuit certificatorium, et continuavit in diem Vener. prox. 27. Jan.

Quo die episc. London. commissarius, cum caeteris episcopis, Jo. Winton. Rich. Wigorn. Rad. Cov. et Lichf. Jo. abbate Westm. una cum clero convenerunt in choro D. Pauli. Ubi missa de Spiritu Sancto finita, intrarunt domum capitularem; et praeconizatione facta, et inferiori domo evocata, exposuit episcopus ibidem causam convocationis, et quod non futura sit concio, pro more, quia sedes archiepiscopalis destituta existit, et quia consilarii regii in mandatis dederunt, ne conciones in eadem ecclesia fierent, donec de beneplacito reginae constaret. Tum declaravit, quod decanus et capitulum Cant. interesse nequeunt, et commiserunt vices suas praedicto episcopo, &c. Deinde episcopus London. monuit, ut eligerent sibi prolocutorem; et electum praesentarent die Vener. prox. intra 9. et 10. si parliamentum tunc non habeatur; alioquin ad horam 3. post meridiem. Et continuavit ad diem Vener. prox.

Quo die episc. London. etc. jussit accerfiri praelatos inferioris domus, et ibidem dom. Henricus Cole, decanus Pauli, et Jo. Harpsfield, archidiaconus London. praesentarunt oratione Latina Nicolaum Harpsfield prolocutorem, qui orationem fecit et admissus est. Tandem episcopus London. continuavit usque ad diem Vener. prox. si parliamentum non habeatur; alioquin inter secundam post meridiem, etc.

Quo die Veneris episc. London. commissarius sciscitavit, an clerus inferioris domus aliquid excogitavit, quod vellent exponere illo die. Ubi prolocutor, cum Tho. Raynolds, Jo. Harpsfield, et Will. Chedsey responderunt, se nescire, ob quam causam, et quibus de rebus tractaturi sint. Et rogarunt ut ratio ineatur, quomodo religio posset conservari. Quibus episcopi responderunt, quod eis expedire videtur, ut clerus, etc. preces faciant dominae reginae, ne quid oneris imponatur clero in illo parlamento. Deinde tractaverunt de supplemento subsidii, qua ratione sit solvendum. Et tunc episcopus London. continuavit in diem Veneris 17. Febr.

Quo die episcopus London. commissarius continuavit in diem Sabbati 25. Febr.

Quo die episcopus London. commissarius convocavit prolocutorem et clerus. Qui quidem prolocutor porrexit eis quosdam articulos in scriptis, quos dictus clerus, ut asseruit, excogitavit ad exonerationem conscientiarum suarum, et protestationem fidei suae. Et petierunt, ut ipsi episcopi sint duces sibi hac in re. Et tunc episcopus London. continuavit in diem Martis.

Quo die ult. Febr. A. D. M.D. LVIII. episcopus London. commissarius, etc. et clerus inferioris domus exhibuerunt articulos suos in priori sessione conceptos, quos lectos episcopi praesentandos promiserunt superiori domui parlamenti crastino die. Et continuavit usque in diem Veneris.

Sequuntur articuli cleri^a.

Reverendi in Christo patres, ac domini colendissimi. Quoniam, fama publica referente, ad nostram nuper notitiam pervenit, multa religionis christianae dogmata publico et unanimi gentium christianarum consensu haecenus recepta et probata, ac ab apostolis ad nos usque concorditer per manus deducta, praesertim articulos infra scriptos in dubium vocari. Hinc est, quod nos Cant. provinciae inferior secundarius clerus in uno (Deo sic disponente, ac serenissimae dom. nostrae reginae, decani ac capituli Cant. mandato, brevi parlamenti ac monitione eccles. solit. declarat. id exigente) convenientes, partium nostrarum esse existimavimus, tum nostrae, tum eorum, quorum cura nobis committitur, aeternae salutis omnibus, quibus poterimus, modis prospicere. Quocirca majorum nostrorum exemplis commoti, qui in similia saepe tempora inciderunt, fidem, quam in articulis infra scriptis veram esse credimus, et ex animo profiteamur, ad Dei laudem et honorem, officiique et animarum nostrae curae commissarum exonerationem, praesentibus duximus publice inferendam, affirmantes, et, sicut Deus nos in die judicii adjuvet, asserentes,

I. Quod in sacramento altaris virtute verbi Christi a sacerdote debite prolati existentis, praesens est realiter sub speciebus panis et vini naturale corpus Christi, conceptum de virgine Maria; item naturalis ejus sanguis.

II. Item, Quod post consecrationem non remanet substantia panis et vini, neque ulla alia substantia, nisi substantia Dei et hominis.

III. Item, Quod in missa offertur verum Christi corpus, et verus ejusdem sanguis, sacri-

^a Fuller Ch. Hist. p. 55.

ficium propitiatorium pro vivis et defunctis.

IV. Item, Quod Petro apostolo, et ejus legitimis successoribus in sede apostolica, tanquam Christi vicariis, data est suprema potestas pascendi et regendi ecclesiam Christi militantem, et fratres suos confirmandi.

V. Item, Quod auctoritas tractandi et definiendi de iis, quae spectant ad fidem, sacramenta, et disciplinam ecclesiasticam, haecenus semper spectavit, et spectare debet tantum ad pastores ecclesiae, quos Spiritus S. in hoc in ecclesia Dei posuit, et non ad laicos.

VI. Quam nostram assertionem, affirmationem, et fidem nos inferior clerus praedictus ob considerationes praedictas vestris paternitatibus tenore praesentium exhibemus; humiliter supplicantes, ut, quia nobis non est copia hanc nostram sententiam et intentionem aliter illis, quos in hac parte interest, notificandi, vos, qui patres estis, ista superioribus ordinibus significare velitis. Qua in re officium charitatis ac pietatis (ut arbitramur) praestabitis, et saluti gregis vestri (ut par est) prospicietis, et vestras ipsi animas liberabitis.

Die Veneris proximo episcopus London. commissarius, etc. prolocutori et clero sciscitantibus, an articuli sui propositi praesentati essent superi-

oribus ordinibus; respondit se exhibuisse domino custodi magni sigilli in superiori domo, qui erat os commune omnium dominorum illius domus. Qui articulos praedictos, ut apparebat, gratanter accepit, sed nullum omnino responsum dedit. Et iterum prolocutor et clerus rogarunt, ut ipsi velint citra proximam sessionem scire beneplacitum domini custodis, &c.—Tunc tractatum habuerunt de solvendo supplemento subsidii, &c. Et dominus locumtenens continuavit usque in diem Martis prox.

Quo die, 7. sc. Martii, episcopus London. commissarius, etc. accersiri fecit prolocutorem, et sex alios de clero, ubi tractarunt de supplemento subsidii. Et deinde, quia non dabatur ei oportunitas petendi responsum domini de superiori domo, continuavit usque in diem Veneris.

Quo die, viz. 10. Martii, M.D.LVIII. episcopus London. commissarius, etc. inferiorem domum accersiri fecit, quibus ostendebat articulos scriptos, manu notarii publici exhibitos, uno tantum articulo, viz. ultimo excepto, approbatos per universit. Oxon. et Cantabr. Deinde post quaedam tractata continuavit usque in diem Veneris. Et postea de die in diem usque ad diem 7. futuri mensis Aprilis M.D.LIX.

Papae Rom.
PAULI IV. 4.

Sede Cant. vacante.

Anno Christi
1558.

Reg. Angliae
ELIZAB. I.

Queen Elizabeth's proclamation to forbid preaching, and allowing only the reading of the epistles and gospels, etc. in English in the churches. Strype's Ann. of the reform. vol. I. app. p. 3.

By the Queen.

THE quenes majesty understanding, that there be certain persons having in times past the office of ministry in the church, which now do purpose to use their former office in preaching and ministry, and partly have attempted the same; assembling speciallie in the city of London, in sondry places, great number of people; whereupon riseth amonges the common sort not only unfruitful disputes in matters of religion, but also contention and occasion to break common quiet; hath therefore according to the authority committed to her highness for the quiet governaunce of all maner her subjects, thought it necessary to charge and commaund, like as hereby her highness doth charge and commaund all maner of her subjects, as well those, that be called to the ministry in the church, as all others; that they do forbear to preach, or teach, or to give audience to any maner of doctrine or preaching other, than to the gospels and epistles commonly called The gospell and epistle of the day, and to the Ten commandments in the vulgar tongue, without exposition or addition of any maner sense or meaning to be applyed and added; or to use any other manner of public prayer, rite, or ceremony in the church, but that which

is already used, and by law received, as the Common letany used at this present in her majestys own chappel, and the Lord's prayer, and the Crede in English; untill consultation may be had by parliament, by her majesty, and her three estates of this realme, for the better conciliation and accord of such causes, as at this present are moved in matters and ceremonies of religion.

The true advaancement whereof to the due honour of almighty God, the increase of virtue and godliness, with universal charity and concord amonges her people, her majesty mooste desyreth, and meaneth effectually, by all maner of means possible, to procure and to restore to this her realme. Whereunto as her majesty instantly requireth all her good, faithful, and loving subjects to be assenting and ayding with due obedience; so if any shall disobediently use themselves to the breach thereof, her majesty both must and will see the same duely punished, both for the quality of the offence, and for example to all others neglecting her majesties so reasonable commaundment. Yeven at her highness palais of Westminster the 27. day of December, the first year of her majesties reigne.

God save the quene.

Papae Rom.
PAULI IV. 2.

Sede Cant. vacante.

Anno Christi
1558.Reg. Angliae.
ELIZAB. I.*Concilium provinciale Ebor.* Ex reg. Nic. Heath, arch. Ebor. fol. 27.

VIRTUTE brevis regii concilium hoc in ecclesia metropolitana B. Petri Ebor. celebrabatur 10. die mensis Februarii, M.D.LVIII. et

ab hoc die in 16. Martii seq. et ab eo in ultimum diem ejusdem mensis M.D.LIX. continuabatur.

Concilium provinciale Edinburgense. Ex Joh. Leslaei rer. gest. Scot. lib. X. p. 496.

PRAESULES ac doctores quidam theologi cogitantes illam haeresis pestem, nisi quamprimum medicina aliqua reprimeretur, latius grassaturam, provincialem synodum Edinburgi instituerunt; ac plurimis, qui haeresis notam subiverant, damnatis, hanc solum poenam irrogarunt, ut ad cal. Septemb. proximas, qui dies divo Aegidio, urbis patrono, sacer erat, publice in foro palinodiam canerent. Sed quidam haeretici tantos subito tumultus ciebant, ut mul-

titudine, quae supplicationes publicas cum clero obibant, turbata, ac divi Aegidii imagine, quae circumferebatur, vi ablata et comminuta, illos, quibus haereseos abjurandae poena imposita fuit, ex media turba plane subtraherent. Regina indignata, furentem multitudinem ne a sanctorum quidem ac Dei violatione continuisse, D. Setonium Edinburgo praefecit, qui populi audaciam, ne superbius insultaret, aliquandiu compressit." Haec LESLAEUS.

Concilium provinciale episcoporum et cleri Scotiae Edinburgi 2. die Martii habitum.
Ibidem, p. 504.

DE hoc concilio, articulisque in eo exhibitis et responso eis dato ita narrat Leslaeus. "Regina cum nihil hac ratione proficere intellexerat, aliam tentat viam, ut ecclesiastici viri, ac omnes regni theologi, qui eruditione reconditori praestabant, provincialem synodum Edinburgi celebrantes, religionis vulneribus medicinam facerent. Cum igitur numerosus clerus sexto nonas Martii Edinburgum ad synodum convenissent; ecce barones quidam cum nonnullis aliis nobilibus supplicem libellum de quibusdam schismaticorum commentis (quos ipsi primos reformationis articulos vocabant) ipsi reginae porrigunt, urgentes, ut his capitibus publice afferendis ac confirmandis regina assensionem suam subjiceret: illa hunc protinus libellum supplicem per Huntlaeum, regni cancellarium, synodo exhibendum, ut de illis definiret, reddidit. Articulorum summa haec erat.

Ut vernacula lingua preces publice dicantur ac sacramenta administrentur. Ut episcopi princeps ac pastores, illi dominorum ac nobilium cujuscunque dioecesis, hi parochorum assensione ac voluntate ad beneficia cooptentur.

Ut, qui pastoratus provinciae per se sustinendae impares omnino fuerunt, beneficiis moverentur; ac alii, qui et possent et vellent plebeculam concionibus quotidianis informare, sufficerentur.

Ut omnes in posterum, quorum aut mores parum probi, aut doctrina perexigua esset, sacramentorum administratione, reliquisque ec-

clesiae functionibus excludantur.

Qui synodo interfuerant, cum rem multis disceptationibus in utramque partem agitassent, in hanc sententiam responderunt.

De precibus ac sacramentis alia lingua, quam Latina publice celebrandis, cum ecclesiae catholicae traditionibus, a tot retro seculis religiose observatis, plane repugnet, omnem quoquo modo assensionem esse cohibendam: non enim sine divinae majestatis violatione fieri posse, ut quod ecclesia gravissimis poenis sancierit, id quisquam antiquare cogitet.

De episcopis quoque ac pastoribus eligendis aequum in primis esse, ut, quae jure canonico caventur, ea sarta tecta maneant, neque novi quid, abrogatis veteribus, ullo modo subrogetur. Id quoque prudenter adjecerunt, cum praelatorum electio in regia potestate, suffragante summo pontifice, esset, de ea in tenella reginae aetate contra quicquam statui, sine aperta temeritatis nota, ac regiae potestatis imminutione, nullo modo posse.

De reliquis duobus articulis, ne plus sibi, quam veritati indulgisse viderentur, in eam sententiam itum est, ut omnia ad antiquorum exemplar, ac concilii Tridentini normam conformarentur, ut episcopi, abbates, priores, decani, archidiaconi, pastores, ac cujuscunque ordinis religiosi intra sex menses vel munus quisque suum praesentes obirent, vel beneficiis ecclesiae quam primum cederent. Haec LESLAEUS.

Papae Rom.
PAULI IV 4.

Sede Cant. vacante.

Anno Christi
1559.

Reg. Angliae
ELIZAB. I.

Convocatio provinciae Cantuar.

CONVOCATIO provinciae Cantuar. ad festimum diem mensis Aprilis prorogata, de die in diem usque ad quintum mensis Maii proximum continuata, et deinde nono die ejusdem mensis postero post dissolutum parliamentum die dissoluta fuit.

In hac convocatione sedes archiepiscopalis

Cantuar. sedes episcopales Sarum, Norwicen. Cicestrien. Hereforden. Glocestr. Oxon. Bangor. Bristol. et Roffen. vacabant.

IN PROVINCIA EBOR. convocatio ad ultimum diem mensis Martii continuata, auctoritate commissarii archiepiscopi ad 15. diem Aprilis prorogabatur; testante reg. Nic. arch. Ebor. fol. 29.

Injunctions given by the queen's majesty, concerning both the clergy and laity of this realm, published anno Domini M.D.LIX. being the first year of the reign of our sovereign lady queen Elizabeth.

THE queen's most royal majesty, by the advice of her most honourable council, intending the advancement of the true honour of almighty God, the suppression of superstition throughout all her highness's realms and dominions, and to plant true religion to the extirpation of all hypocrisie, enormities, and abuses (as to her duty appertaineth) doth minister unto her loving subjects these godly injunctions hereafter following. All which injunctions her highness willeth and commandeth her loving subjects obediently to receive, and truly to observe and keep, every man in their offices, degrees, and states, as they will avoid her highness's displeasure, and pains of the same hereafter expressed.

I. The first is, That all deans, archdeacons, parsons vicars, and all other ecclesiastical persons shall faithfully keep and observe, and as far as in them may lie, shall cause to be observed and kept of other, all and singular laws and statutes made for the restoring of the crown, the ancient jurisdiction over the state ecclesiastical, and abolishing of all forreign power, repugnant to the same. And furthermore, All ecclesiastical persons having cure of souls, shall, to the uttermost of their wit, knowledge, and learning, purely and sincerely, and without any colour or dissimulation, declare, manifest and open four times every year at the least, in their sermons and other collations, that all usurped and forreign power, having no establishment nor ground by the law of God, is, for most just causes, taken away and abolished; and that therefore no manner of obedience and subjection within her highness's realms and dominions is due unto any such forreign power. And that the queens power within her realms and dominions is the highest power under God, to whom all men, within the same realms and dominions by God's law, owe most loyalty and obedience, afore and above all other powers and potentates in earth.

II. Besides this, to the intent that all superstition and hypocrisie crept into divers mens hearts, may vanish away, they shall not set forth or extol the dignity of any images, relicts, or miracles; but, declaring the abuse of the

same, they shall teach, that all goodness, health, and grace ought to be both asked and looked for only of God, as of the very author and giver of the same, and of none other.

III. Item, That they, the parsons above rehearsed, shall preach in their churches, and every other cure they have, one sermon every month of the year at the least, wherein they shall purely and sincerely declare the word of God, and in the same exhort their hearers to the works of faith, as mercy and charity especially prescribed and commanded in scripture; and that the works devised by mans phantasies, besides scripture (as wandring of pilgrimages, setting up of candles, praying upon beads, or such like superstition) have not only no promise of reward in scripture for doing of them, but contrariwise great threatnings and maledictions of God, for that they being things tending to idolatry and superstition, which of all other offences God almighty doth most detest and abhor, for that the same most diminish his honour and glory.

IV. Item, That they, the parsons above rehearsed, shall preach in their own persons, once in every quarter of the year at least, one sermon, being licensed especially thereunto, as is specified hereafter; or else shall read some homily prescribed to be used by the queen's authority every Sunday at the least, unless some other preacher sufficiently licensed, as hereafter, chance to come to the parish for the same purpose of preaching.

V. Item, That every holy day through the year, when they have no sermon, they shall immediately after the gospel openly and plainly recite to their parishioners in the pulpit the "Pater noster," the "Creed," and "Ten commandments," in English, to the intent, that the people may learn the same by heart; exhorting all parents and householders to teach their children and servants the same, as they are bound by the law of God and conscience to do.

VI. Also, That they shall provide within three months next after this visitation, at the charges of the parish, one book of the whole Bible of the largest volume in English; and within one twelve months next after the said visitation,

visitation, the paraphrases of Erasmus also in English upon the gospel, and the same set up in some convenient place within the said church, that they have cure of, whereas the parishioners may most commodiously resort unto the same, and read the same, out of the time of common service. The charges of the paraphrases shall be by the parson or proprietary and parishioners born by equal portions; and they shall discourage no man from the reading any part of the Bible, either in Latin or in English, but shall rather exhort every person to read the same with great humility and reverence, as the very lively word of God, and the especial food of mans soul, which all christian persons are bound to embrace, believe and follow, if they look to be saved; whereby they may the better know their duties to God, to their sovereign lady the queen, and their neighbors; ever gently and charitably exhorting them, and in her majesty's name straightly charging and commanding them, that in the reading thereof, no man to reason or contend, but quietly to hear the reader.

VII. Also, the said ecclesiastical persons shall in no wise at any unlawful time, nor for any other cause, than for their honest necessities, haunt or resort to any taverns or alehouses. And after their meats, they shall not give themselves to drinking or riot, spending their time idely by day and by night at dice, cards, or tables playing, or any other unlawful game; but at all times, as they shall have leisure, they shall hear or read somewhat of the holy scripture, or shall busie themselves with some other honest study, or exercise; and that they always do the things, which appertain to honesty, and endeavor to profit the commonwealth; having always in mind that they ought to excel all other in purity of life, and should be examples to the people to live well and christianly.

VIII. Also, that they shall admit no man to preach within any their cures, but such as shall appear unto them to be sufficiently licensed thereunto by the queen's majesty, or the archbishop of Canterbury, or York, in either of their provinces, or by the bishop of the diocese, or by the queen's majesty's visitors. And such as shall be so licensed, they shall gladly receive to declare the word of God at convenient times, without resistance or contradiction. And that no other be suffered to preach out of his own cure or parish, than such as shall be licensed, as is above expressed.

IX. Also, If they do or shall know any man within their parish or elsewhere, that is a letter of the word of God to be read in English, or sincerely preached, or of the execution of these the queen's majesty's injunctions, or a fautor of any usurped and forreign power, now by the laws of this realm justly rejected and taken away, they shall detect and present the same to the queen's majesty, or to her council, or to the ordinary, or to the justice of the peace next adjoining.

X. Also, That the parson, vicar, or curate, and parishioners of every parish within this realm, shall in their churches and chapels

keep one book of register, wherein they shall write the day and year of every wedding, christning, and burial made within their parish for their time, and so every man succeeding them likewise; and also therein shall write every persons name that shall be so wedded, christned and buried. And for the safe keeping of the same book, the parish shall be bound to provide of their common charges one sure coffer, with two locks and keys, whereof the one to remain with the parson, vicar, or curate, and the other with the wardens of every parish church or chapel, wherein the said book shall be laid up. Which book they shall every Sunday take forth, and in the presence of the said wardens, or one of them, write and record in the same all the weddings, christnings, and burials, made the whole week before; and that done, to lay up the book in the said coffer as before: And for every time, that the same shall be omitted, the party, that shall be in the fault thereof, shall forfeit to the said church 3 s. 4 d. to be employed, the one half to the poor mens box of that parish, the other half towards the repairing of the church.

XI. Furthermore, because the goods of the church are called the goods of the poor, and at these days nothing less seen, than the poor to be sustained with the same; all parsons, vicars, pensionaries, prebendaries, and other beneficed men within this deanry, not being resident upon their benefices, which may dispend yearly twenty pounds or above, either within this deanry, or elsewhere, shall distribute hereafter among their poor parishioners, or other inhabitants there, in the presence of the churchwardens, or some other honest man of the parish, the fortieth part of the fruits and revenues of the said benefice; lest they be worthily noted of ingratitude, which reserving so many parts to themselves, cannot vouchsafe to impart the fortieth portion thereof among the poor people of that parish, that is so fruitful and profitable unto them.

XII. And, to the intent, that learned men may hereafter spring the more, for the execution of the premises, every parson, vicar, clerk, or beneficed man within this deanry having yearly to dispend in benefices and other promotions of the church an hundred pounds, shall give 3 l. 6 s. 8 d. in exhibition to one scholar in either of the universities; and for as many C lib. more as he may dispend, to so many scholars more shall give like exhibition in the university of Oxford or Cambridge, or some grammar-school, which, after they have profited in good learning, may be partners of their patrons cure and charge, as well in preaching, as otherwise in executing of their offices, or may, when time shall be, otherwise profit the commonweal with their counsel and wisdom.

XIII. Also, that all proprietaries, parsons, vicars, and clerks having churches, chapels, or mansions within this deanry, shall bestow yearly hereafter upon the same mansions, or chancels of their churches, being in decay, the fifth part of that their benefices, till they be fully

fully repaired, and shall always keep and maintain in good estate.

XIV. Also, That the said parsons, vicars, and clerks, shall once every quarter of the year read these injunctions, given unto them, openly and deliberately before all their parishioners at one time, or at two several times in one day; to the intent, that both they may be the better admonished of their duty, and their said parishioners the more moved to follow the same for their part.

XV. Also, Forasmuch as by laws established, every man is bound to pay his tythes, no man shall by colour of duty omitted by their curates, detain their tythes and so requite one wrong with another, or be his own judge; but shall truly pay the same, as hath been accustomed, to their parsons, vicars, and curates, without any restraint or diminution; and such lack and default as they can justly find in their parsons and curates, to call for reformation thereof at their ordinaries, and other superiors, who, upon complaint and due proof thereof, shall reform the same accordingly.

XVI. Also, That every parson, vicar, curate, and stipendary priest, being under the degree of a master of art, shall provide and have of his own, within three months after this visitation, the new Testament both in Latin and in English, with paraphrases upon the same, conferring the one with the other. And the bishops and other ordinaries by themselves or their officers, in their synods and visitations, shall examine the said ecclesiastical persons, how they have profited in the study of holy scripture.

XVII. Also, That the vice of damnable despair may be clearly taken away, and that firm belief and stedfast hope may be surely conceived of all their parishioners, being in any danger; they shall learn and have always in a readiness such comfortable places and sentences of scripture, as do set forth the mercy, benefits, and goodness of almighty God towards all penitent and believing persons; that they may at all times when necessity shall require, promptly comfort their flock with the lively word of God, which is the only stay of mans conscience.

XVIII. Also, To avoid all contention and strife, which heretofore hath risen among the queen's majesty's subjects in sundry places of her realms and dominions, by reason of fond courtesie, and challenging of places in the procession; and also that they may the more quietly hear that, which is said or sung to their edifying, they shall not from henceforth in any parish-church at any time use any procession about the church or churchyard, or at any place; but immediately before the time of communion of the sacrament, the priests with other of the quire shall kneel in the midst of the church, and sing or say plainly and distinctly the letany, which is set forth in English, with all the suffrages following, to the intent the people may hear and answer; and none other procession or letany to be had or used, but the said letany in English, adding nothing thereto, but as it is now appointed. And in cathedral or collegiate

churches the same shall be done in such places, and in such sort, as our commissioners in our visitation shall appoint. And in the time of the letany, of the common prayer, of the sermon, and when the priest readeth the scripture to the parishioners, no manner of persons, without a just and urgent cause, shall use any walking in the church, nor shall depart out of the church; and all ringing and knolling of bells shall be utterly forborn at that time, except one bell at convenient time to be rung or knolled before the sermon. But yet for retaining of the perambulation of the circuits of parishes, they shall once in the year at the time accustomed, with the curate and substantial men of the parish, walk about the parishes, as they were accustomed, and at their return to the church, make their common prayers.

XIX. Provided, That the curate in their said common perambulations, used heretofore in the days of Rogations, at certain convenient places shall admonish the people to give thanks to God, in the beholding of Gods benefits, for the increase and abundance of his fruits upon the face of the earth, with the saying of the ciii. psalm, "Benedic anima mea," etc. At which time also the same minister shall inculcate these or such sentences: "Curfed be he, which translateth the bounds and dolles of his neighbor." Or such other order of prayers, as shall be hereafter appointed.

XX. Item, All the queen's faithful and loving subjects shall from henceforth celebrate and keep their holyday according to Gods will and pleasure; that is, in hearing the word of God read and taught, in private and public prayers, in knowledging their offences unto God, and amendment of the same, in reconciling themselves charitably to their neighbors, where displeasure hath been, in oftentimes receiving the communion of the very body and blood of Christ, in visiting of the poor and sick, using all soberness and godly conversation. Yet notwithstanding, all parsons, vicars, and curates shall teach and declare unto their parishioners, that they may with a safe and quiet conscience, after their common prayer in the time of harvest, labour upon the holy and festival days, and save that thing, which God hath sent; and if for any scrupulosity or grudge of conscience, men should superstitiously abstain from working upon those days, that then they should grievously offend and displease God,

XXI. Also, Forasmuch as variance and contention is a thing, that most displeaseth God, and is most contrary to the blessed communion of the body and blood of our saviour Christ, curates shall in no wise admit to the receiving thereof any of their cure and flock, which be openly known to live in sin without repentance, or who hath maliciously and openly contended with his neighbor, unless the same do first charitably and openly reconcile himself again, remitting all rancour and malice, whatsoever controversie hath been between them. And nevertheless, the just titles and rights they may charitably

charitably prosecute before such, as have authority to hear the same.

XXII. Also, That they shall instruct and teach in their cures, that no man ought obstinately and maliciously to break and violate the laudable ceremonies of the church, commanded by public authority to be observed.

XXIII. Also, That they shall take away, utterly extinct, and destroy all shrines, coverings of shrines, all tables, candlesticks, trindals, and rolls of wax, pictures, paintings, and all other monuments of feigned miracles, pilgrimages, idolatry, and superstition, so that there remain no memory of the same in walls, glass windows, or elsewhere within their churches and houses; preserving nevertheless, or repairing both the walls and glass windows; and they shall exhort all their parishioners to do the like within their several houses.

XXIV. And, That the churchwardens, at the common charge of the parishioners, in every church shall provide a comely and honest pulpit, to be set in a convenient place within the same, and to be there seemly kept for the preaching of God's word.

XXV. Also, They shall provide and have within three months after this visitation, a strong chest with a hole in the upper part thereof, to be provided at the cost and charge of the parish, having three keys, whereof one shall remain with the parson, vicar, or curate, and the other two in the custody of the churchwardens, or any other two honest men, to be appointed by the parish from year to year; which chest you shall set and fasten in a most convenient place, to the intent the parishioners should put into it their oblations and alms for their poor neighbors. And the parson, vicar, and curate shall diligently from time to time, and especially when men make their testaments, call upon, exhort, and move their neighbors to confer and give, as they may well spare, to the said chest: declaring unto them, whereas heretofore they have been diligent to bestow much substance, otherwise than God commanded, upon pardons, pilgrimages, trentals, decking of images, offering of candles, giving to fryers, and upon other like blind devotions, they ought at this time to be much more ready to help the poor and needy; knowing that to relieve the poor is a true worshipping of God, required earnestly upon pain of everlasting damnation; and that also whatsoever is given for their comfort, is given to Christ himself, and so is accepted of him, that he will mercifully reward the same with everlasting life. The which alms and devotions of the people the keepers of the keys shall at all times convenient take out of the chest, and distribute the same in the presence of the whole parish, or six of them, to be truly and faithfully delivered to their most needy neighbors. And if they be provided for, then to the reparation of highways next adjoining, or to the poor people of such parishes near, as shall be thought best to the said keepers of the keys. And also the monies, which riseth of fraternities, guilds, and

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other flocks of the church (except by the queen's majesty's authority it be otherwise appointed) shall be put in the said chest, and converted to the said use; and also the rents of lands, the profit of cattle, and mony given or bequeathed to obits and dirges, and to the finding of torches, lights, tapers and lamps, shall be converted to the said use; saving that it shall be lawful for them to bestow part of the said profits upon the reparation of the said church, if great need require, and whereas the parish is very poor, and not able otherwise to repair the same.

XXVI. Also, To avoid the detestable sin of simony, because buying and selling of benefices is execrable before God, therefore all such persons, as buy any benefices, or come to them by fraud or deceit, shall be deprived of such benefices, and be made unable at any time after to receive any other spiritual promotion; and such as do sell them, or by any colour do bestow them for their own gain and profit, shall use their right and title of patronage and presentment for that time, and the gift thereof for that vacation shall appertain to the queen's majesty.

XXVII. Also, Because through lack of preachers in many places of the queen's realms and dominions the people continue in ignorance and blindness, all parsons, vicars, and curates shall read in their churches every Sunday one of the homilies, which are and shall be set forth for the same purpose by the queen's authority, in such sort, as they shall be appointed to do in the preface of the same.

XXVIII. Item, Whereas many undiscreeet persons do at this day uncharitably contemn and abuse priests and ministers of the church, because some of them (having small learning) have of long time favored fond fancies, rather than God's truth; yet forasmuch as their office and function is appointed of God, the queen's majesty willet and chargeth all her loving subjects, that from henceforth they shall use them charitably and reverently for their office and ministration sake, and especially such as labor in the setting forth of God's holy word.

XXIX. Item, Although there be no prohibition by the word of God, nor any example of the primitive church, but that the priests and ministers of the church may lawfully, for the avoiding of fornication, have an honest and sober wife, and that for the same purpose the same was by act of parliament in the time of our dear brother king Edward the sixth made lawful, whereupon a great number of the clergy of this realm were then married, and so continue; yet because there hath grown offence, and some slander to the church by lack of discreet and sober behaviour in many ministers of the church, both in chusing of their wives, and undiscreeet living with them, the remedy whereof is necessary to be sought: it is thought therefore very necessary, that no manner of priest or deacon shall hereafter take to his wife, any manner of woman without the advice and allowance first had upon good examination by the bishop of the same diocese, and two justices

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of the peace of the same shire, dwelling next to the place, where the same woman hath made her most abode before her marriage; nor without the good will of the parents of the said woman, if she have any living, or two of the next of her kinsfolks, or, for lack of knowledge of such, of her master or mistress, where she serveth. And before she shall be contracted in any place, he shall make a good and certain proof thereof to the minister, or to the congregation assembled for that purpose, which shall be upon some holy day, where divers may be present. And if any shall do otherwise, that then they shall not be permitted to minister either the word or the sacraments of the church, nor shall be capable of any ecclesiastical benefice. And for the manner of marriages of any bishops, the same shall be allowed and approved by the metropolitan of the province, and also by such commissioners, as the queen's majesty thereunto shall appoint. And if any master or dean, or any head of any college shall purpose to marry, the same shall not be allowed, but by such, to whom the visitation of the same doth properly belong, who shall in any wise provide, that the same tend not to the hindrance of their house.

XXX. Item, Her majesty being desirous to have the prelacy and clergy of this realm to be had as well in outward reverence, as otherwise regarded for the worthiness of their ministries, and thinking it necessary to have them known to the people in all places and assemblies, both in the church and without, and thereby to receive the honour and estimation due to the special messengers and ministers of almighty God; willeth and commandeth, that all archbishops and bishops, and all other, that be called or admitted to preaching or ministry of the sacraments, or that be admitted into vocation ecclesiastical, or into any society of learning in either of the universities, or elsewhere, shall use and wear such seemly habits, garments, and such square caps, as were most commonly and orderly received in the latter year of the reign of king Edward the sixth; not thereby meaning to attribute any holiness or special worthiness to the said garments, but as St. Paul writeth: "Omnia decenter et secundum ordinem fiant." 1 Cor. 14. cap.

XXXI. Item, That no man shall wilfully and obstinately defend or maintain any heresies, errors, or false doctrine, contrary to the faith of Christ and his Holy Spirit.

XXXII. Item, That no persons shall use charms, forceries, enchantments, witchcraft, soothsaying, or any such like devilish device, nor shall resort at any time to the same for counsel or help.

XXXIII. Item, That no person shall, neglecting their own parish church, resort to any other church in time of common prayer or preaching, except it be by the occasion of some extraordinary sermon in some parish of the same town.

XXXIV. Item, That no inholders or alehouse keepers shall use to sell meat or drink in

the time of common prayer, preaching, reading of the homilies or scriptures.

XXXV. Item, That no persons keep in their houses any abused images, tables, pictures, paintings, and other monuments of feigned miracles, pilgrimages, idolatry, and superstition.

XXXVI. Item, That no man shall willingly let or disturb the preacher in the time of his sermon, or let or discourage any curate or minister to sing or say the divine service now set forth; nor mock or jest at the ministers of such service.

XXXVII. Item, That no man shall talk or reason of the holy scriptures rashly, or contentiously, nor maintain any false doctrine or error, but shall commune of the same, when occasion is given, reverently, humbly, and in the fear of God, for his comfort and better understanding.

XXXVIII. Item, That no man, woman or child, shall be otherwise busied in the time of the service, than in quiet attendance to hear, mark, and understand that is read, preached, and ministered.

XXXIX. Item, That every schoolmaster and teacher shall teach the Grammar set forth by king Henry VIII. of noble memory, and continued in the time of king Edward VI. and none other.

XL. Item, That no man shall take upon him to teach, but such as shall be allowed by the ordinary, and found meet as well for his learning and dexterity in teaching, as for sober and honest conversation, and also for right understanding of God's true religion.

XLI. Item, That all teachers of children shall stir and move them to love and do reverence to God's true religion now truly set forth by public authority.

XLII. Item, That they shall accustom their scholars reverently to learn such sentences of scriptures, as shall be most expedient to induce them to all godliness.

XLIII. Item, Forasmuch as in these latter days many have been made priests, being children, and otherwise utterly unlearned, so that they could read to say mattens or mass; the ordinaries shall not admit any such to any cure or spiritual function.

XLIV. Item, Every parson, vicar, and curate, shall upon every holy day, and every second Sunday in the year hear and instruct the youth of the parish for half an hour at the least before evening prayer, in the ten commandments, the articles of the belief, and the Lord's prayer, and diligently examine them, and teach the catechism set forth in the book of public prayer.

XLV. Item, That the ordinary do exhibit unto our visitors their books, or a true copy of the same, containing the causes, why any person was imprisoned, famished, or put to death for religion.

XLVI. Item, that in every parish three or four discreet men, which tender God's glory, and his true religion, shall be appointed by the ordinaries diligently to see, that all the parishioners

oners duly resort to their church upon all Sundays and holy days, and there to continue the whole time of the godly service; and all such as shall be found slack and negligent in resorting to the church, having no great or urgent cause of absence, they shall straightly call upon them, and after due admonition if they amend not, they shall denounce them to the ordinary.

XLVII. Item, That the churchwardens of every parish shall deliver unto our visitors the inventories of vestments, copes, and other ornaments, plate, books, and specially of grayles, couchers, legends, processions, manuals, hymnals, portuesses, and such like appertaining to the church.

XLVIII. Item, That weekly upon Wednesdays and Fridays, not being holy days, the curate at the accustomed hours of service shall resort to church, and cause warning to be given to the people by knolling of a bell, and say the letany and prayers.

XLIX. Item, Because in divers collegiate, and also some parish churches heretofore there have been livings appointed for the maintenance of men and children to use singing in the church, by means whereof the laudable service of music hath been had in estimation, and preserved in knowledge; the queen's majesty neither meaning in any wise the decay of any thing, that might conveniently tend to the use and continuance of the said science, neither to have the same in any part so abused in the church, that thereby the common prayer should be the worse understood of the hearers, willeth and commandeth, that first no alterations be made of such assignments of living, as heretofore hath been appointed to the use of singing or music in the church, but that the same so remain. And that there be a modest and distinct song so used in all parts of the common prayers in the church, that the same may be as plainly understood, as if it were read without singing; and yet nevertheless for the comforting of such that delight in music, it may be permitted, that in the beginning, or in the end of the common prayers, either at morning or evening, there may be sung an hymn, or such like song to the praise of almighty God in the best sort of melody and music, that may be conveniently devised, having respect that the sentence of hymn may be understood and perceived.

L. Item, Because in all alterations, and specially in rites and ceremonies, there happen discord amongst the people, and thereupon slanderous words and railings, whereby charity, the knot of all christian society, is loosed; the queen's majesty being most desirous of all other earthly things, that her people should live in charity both towards God and man, and therein abound in good works, willeth and straightly commandeth all manner of her subjects to forbear all vain and contentious disputations in matters of religion, and not to use in despite or rebuke of any person, these convicious words papist or papistical heretic, schismatic or sacramentary, or any such like words of re-

proach. But if any manner of person shall deserve the accusation of any such, that first he be charitably admonished thereof; and if that shall not amend him, then to denounce the offender to the ordinary, or to some higher power, having authority to correct the same.

LI. Item, Because there is a great abuse in the printers of books, which for covetousness chiefly regard not what they print, so they may have gain, whereby ariseth the great disorder by publication of unfruitful, vain, and infamous books and papers; the queen's majesty straightly chargeth and commandeth, that no manner of person shall print any manner of book or paper, of what sort, nature, or in what language soever it be, except the same be first licensed by her majesty by expresse words in writing, or by six of her privy council; or be perused and licensed by the archbishops of Canterbury and York, the bishop of London, the chancellors of both universities, the bishop being ordinary, and the archdeacon also of the place, where any such shall be printed, or by two of them, whereof the ordinary of the place to be always one. And that the names of such, as shall allow the same, to be added in the end of every such work, for testimony of the allowance thereof. And because many pamphlets, plays, and ballads be oftentimes printed, wherein regard would be had, that nothing therein should be either heretical, seditious, or unseemly for christian ears; her majesty likewise commandeth that no manner of person shall enterprise to print any such, except the same be to him licensed by such her majesty's commissioners, or three of them, as be appointed in the city of London to hear and determine divers causes ecclesiastical, tending to the execution of certain statutes made the last parliament for uniformity of order in religion. And if any shall sell or utter any manner of books and papers, being not licensed as is abovesaid, that the same party shall be punished by order of the said commissioners, as to the quality of the fault shall be thought meet. And touching all other books of matters of religion, or policy, or governance, that have been printed, either on this side the seas, or on the other side, because the diversity of them is great, and that there needeth good consideration to be had of the particularities thereof, her majesty referreth the prohibition or remission thereof to the order, which her said commissioners within the city of London shall take and notifie. According to the which her majesty straightly chargeth and commandeth all manner of her subjects, and especially the wardens and company of stationers to be obedient.

Provided that these orders do not extend to any prophane authors and works in any language, that have been heretofore commonly received or allowed in any of the universities and schools, but the same may be printed, and used as by good order they were accustomed.

LII. Item, Although almighty God is all times to be honoured with all manner of reverence,

rence that may be devised; yet of all other times, in time of common prayer the same is most to be regarded. Therefore it is to be necessarily received, that in time of the letany, and all other collects and common supplications to almighty God, all manner of people shall devoutly and humbly kneel upon their knees and give ear thereunto; and that whensoever the name of Jesus shall be in any lesson, sermon, or otherwise in the church pronounced, due reverence be made of all persons young and old, with lowness of courtesie, and uncovering of heads of the menkind, as thereunto doth necessarily belong, and heretofore hath been accustomed.

LIII. Item, That all ministers and readers of public prayers, chapters, and homilies shall be charged to read leisurely, plainly, and distinctly; and also such, as are but mean readers, shall peruse over before, once or twice the chapters, and homilies, to the intent they may read to the better understanding of the people, the more encouragement to godliness.

An admonition to simple men deceived by malicious.

The queen's majesty being informed, that in certain places of the realm, sundry of her native subjects being called to ecclesiastical ministry of the church, be by sinister persuation, and perverse construction induced to find some scruple in the form of an oath, which by an act of the last parliament is prescribed to be required of divers persons, for their recognition of their allegiance to her majesty, which certainly never was ever meant, nor by any equity of words or good sense can be thereof gathered; would that all her loving subjects should understand, that nothing was, is, or shall be meant, or intended by the same oath to have any other duty, allegiance, or bond required by the same oath, than was acknowledged to be due to the most noble kings of famous memory, king Henry the eighth, her majesty's father, or king Edward the sixth, her majesty's brother.

And further her majesty forbiddeth all manner her subjects to give ear or credit to such perverse and malicious persons, which most sinisterly and maliciously labour to notifie to her loving subjects, how by words of the said oath it may be collected, that the kings or queens of this realm, possessors of the crown, may challenge authority and power of ministry of divine service in the church, wherein her said subjects be much abused by such evil disposed persons. For certainly her majesty neither doth, nor ever will challenge any authority, than that was challenged and lately used by the said noble kings of famous memory, king Henry the eighth, and king Edward the sixth, which is, and was of ancient time due to the imperial crown of this realm; that is, under God to have the sovereignty and rule over all manner of persons born within these her realms, dominions, and countries, of what estate, either ecclesiastical or temporal soever they be, so as no other foreign power shall or ought to have

any superiority over them. And if any person, that hath conceived any other sense of the form of the said oath, shall accept the same oath with this interpretation, sense, or meaning; her majesty is well pleased to accept every such in that behalf, as her good and obedient subjects, and shall acquit them of all manner of penalties contained in the said act against such, as shall peremptorily or obstinately take the same oath.

For tables in the church.

Whereas her majesty understandeth, that in many and sundry parts of the realm the altars of the churches be removed, and tables placed for the administration of the holy sacrament, according to the form of the law therefore provided; and in some other places, the altars be not yet removed, upon opinion conceived of some other order therein to be taken by her majesty's visitors; in the other whereof, saving for an uniformity, there seemeth no matter of great moment, so that the sacrament be duly reverently ministred; yet for observation of one uniformity through the whole realm, and for the better imitation of the law in that behalf, it is ordered, that no altar be taken down, but by oversight of the curate of the church, and the churchwardens, or one of them at the least, wherein no riotous or disordered manner be used. And that the holy table in every church be decently made, and set in the place, where the altar stood, and there commonly covered, as thereto belongeth, and as shall be appointed by the visitors, and so to stand, saving when the communion of the sacrament is to be distributed; at which time the same shall be so placed in good sort within the chancel, as whereby the minister may be more conveniently heard of the communicants in his prayer and ministration, and the communicants also more conveniently, and in more number communicate with the said minister. And after the communion done, from time to time the same holy table to be placed where it stood before.

Item, Where also it was in the time of king Edward the sixth used to have the sacramental bread of common fine bread; it is ordered for the more reverence to be given to these holy mysteries, being the sacraments of the body and blood of our saviour Jesus Christ, that the said sacramental bread be made and formed plain, without any figure thereupon, of the same fineness and fashion round, though somewhat bigger in compass and thickness, as the usual bread and water, heretofore named singing cakes, which served for the use of the private mass.

The form of bidding the prayers to be used generally in this uniform sort.

Ye shall pray for Christ's holy catholic church, that is for the whole congregation of christian people dispersed throughout the whole world, and especially for the church of England and Ireland. And herein I require you most

most specially to pray for the queen's most excellent majesty, our sovereign lady Elizabeth, queen of England, France, and Ireland, defender of the faith, and supreme governor of this realm as well in causes ecclesiastical, as temporal. You shall also pray for the ministers of God's holy word and sacraments, as well archbishops and bishops, as other pastors and curates. You shall also pray for the queen's most honourable council, and for all the nobility of this realm, that all and every of these in their calling, may serve truly and painfully to the glory of God, and edifying of his people, remembering the account, that they must make. Also ye shall pray for the whole commons of this realm, that they may live in true faith and fear of God, in humble obedience and brotherly charity one to another. Finally, let us praise God for all those, that are departed out of this life in the faith of Christ, and pray unto God, that we may have grace for to direct our lives after their good example, that after this life, we with them may be made partakers of

the glorious resurrection in the life everlasting.

And this done, shew the holy days, and fasting days.

All and singular which injunctions the queen's majesty ministreth unto her clergy, and to all other her loving subjects, straightly charging and commanding them to observe and keep the same upon pain of deprivation, sequestration of fruits and benefices, suspension, excommunication, and such other correction, as to ordinaries, or other having ecclesiastical jurisdiction, whom her majesty hath appointed, or shall appoint for the due execution of the same, shall be seen convenient; charging and commanding them to see these injunctions observed and kept of all persons being under their jurisdiction, as they will answer to her majesty for the contrary. And her highness's pleasure is, that every justice of peace being required, shall assist the ordinaries, and every of them, for the due execution of the said injunctions.

Papae Rom.
PAULI IV. 4.

Sede Cant. vacante.

Anno Christi
1559.

Reg. Angliae.
ELIZAB. I.

Articles to be enquired in the visitation in the first year of the reign of our most dread sovereign lady Elizabeth, by the grace of God of England, France, and Ireland queen, defender of the faith, anno Domini M.D.LIX.

FIRST, Whether any parson, vicar, or curate be resident continually upon his benefice, doing his duty in preaching, reading, and duly ministering the holy sacraments.

Item, Whether in their churches and chapels all images, shrines, all tables, candlesticks, trindals, and rolls of wax, pictures, paintings, and all other monuments of feigned and false miracles, pilgrimages, idolatry, and superstition be removed, abolished, and destroyed.

Item, Whether they do not every holy day, when they have no sermon, immediately after the gospel, openly, plainly, and distinctly recite to their parishioners in the pulpit the Lord's prayer, the Belief, and the Ten commandments in English.

Item, Whether they do charge fathers and mothers, masters and governors of youth, to bring them up in some virtuous study and occupation.

Item, Whether such beneficed men, as be lawfully absent from their benefices, do leave their cures to a rude and unlearned person, and not to an honest, well learned, and expert curate, which can and will teach you wholsom doctrine.

Item, Whether they do discourage any person from reading of any part of the Bible, either in Latin or English, and do not rather comfort and exhort every person to read the same at convenient times, as the very lively word of God, and the special food of man's soul.

Item, Whether parsons, vicars, curates, and other ministers be common haunters and re-

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forters to taverns or alehouses, giving themselves to drinking, rioting, and playing at unlawful games, and do not occupy themselves in the reading or hearing of some part of the holy scripture, or in some other godly exercise.

Item, Whether they have admitted any man to preach in their cures, not being lawfully licensed thereunto, or have been licensed accordingly.

Item, Whether they use to declare to their parishioners any thing to the extolling or setting forth of vain and superstitious religion, pilgrimages, relicks, or images, or lighting of candles, kissing, kneeling, or decking of the same images.

Item, Whether they have one book or register kept, wherein they write the day of every wedding, christning, and burying.

Item, Whether they have exhorted the people to obedience to the queen's majesty and ministers, and to charity and love one to another.

Item, Whether they have admonished their parishioners, that they ought not to presume to receive the sacrament of the body and blood of Christ, before they can say perfectly the Lord's prayer, the Articles of the faith, and the Ten commandments in English.

Item, Whether they be resident upon their benefices, and keep hospitality, or no: whether they do relieve their parishioners, and what they give them.

Item, Whether proprietaries, parsons, vicars, and clerks, having churches, chapels, and manfions, do keep their chancels, rectories, vicarages,

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carages, and all other houses appertaining to them, in due reparations.

Item, Whether they do counsel or move their parishioners rather to pray in a tongue not known, than in English, or put their trust in any certain number of prayers, as in saying over a number of beads, or other like.

Item, Whether they have received any persons to the communion, being openly known to be out of charity with their neighbors, or defamed with any notorious crime, and not reformed.

Item, Whether they have provided, and have a strong chest for the poor men's box, and set and fastned the same in a place of the church most convenient.

Item, Whether they have diligently called upon, exhorted and moved their parishioners, and especially when they make their testaments, to give to the said poor men's box, and to bestow that upon the poor, which they were wont to bestow upon pilgrimages, pardons, trentals, and upon other like blind devotions.

Item, Whether they have denied to visit the sick, or bury the dead being brought to the church.

Item, Whether they have bought their benefices, or come to them by fraud, guile, deceit, or simony.

Item, Whether they have given open monition to their parishioners to detect and present to their ordinary all adulterers and fornicators, and such men, as have two wives living within their parishes.

Item, Whether they have monished their parishioners openly, that they should not sell, give, nor otherwise alienate any of their church goods.

Item, Whether they or any of them, do keep more benefices and other ecclesiastical promotions, than they ought to do, not having sufficient licences and dispensations thereunto; and how many they be, and their names.

Item, Whether they minister the holy communion any otherwise, than only after such form and manner, as it is set forth by the common authority of the queen's majesty and the parliament.

Item, Whether you know any person within your parish or elsewhere, that is a letter of the word of God to be read in English, or sincerely preached in place and times convenient.

Item, Whether in the time of the litany, or any other common prayer, in time of the sermon or homily, and when the priest readeth the scriptures to the parishioners, any person have departed out of the church without just and necessary cause, or disturbed the minister otherwise.

Item, Whether the money coming and rising of any cattel, or other moveable stocks of the church, and money given and bequeathed to the finding torches, lights, tapers, or lamps, not paid out of any lands, have not been employed to the poor men's chest.

Item, Who hath the said stocks and money in their hands, and what be their names.

Item, Whether any undiscreeit person do un-

charitably contemn and abuse priests and ministers of the church.

Item, Whether there be any other Grammar taught in any school within this diocese, than that, which is set forth by the authority of king Henry the eighth.

Item, Whether the service of the church be done at due and convenient hours.

Item, Whether any have used to commune, jangle, and talk in the church in the time of prayer, reading of the homily, preaching, reading, or declaring of the scripture.

Item, Whether any have wilfully maintained and defended any heresies, errors, or false opinions contrary to the faith of Christ and holy scripture.

Item, Whether any be common drunkards, swearers, or blasphemers of the name of God.

Item, Whether any have committed adultery, fornication, or incest, or be common bawds, or receivers of such evil persons, or vehemently suspected of any of the premises.

Item, Whether any be brawlers, slanderers, chiders, scolders, and sowers of discord between one person and another.

Item, Whether you know any, that do use charms, forceries, enchantments, invocations, circles, witchcrafts, soothsaying, or any like crafts or imaginations invented by the devil, and especially in the time of women's travel.

Item, Whether churches, pulpits, and other necessities appertaining to the same, be sufficiently repaired; and if they be not, in whose default the same is.

Item, Whether you know any, that in contempt of their own parish church do resort to any other church.

Item, Whether any inholders or alehouse keepers do use commonly to sell meat and drink in the time of common prayer, preaching, reading of the homilies, or scripture.

Item, Whether you know any to be married within the degrees prohibited by the laws of God, or that be separated or divorced without the degrees prohibited by the law of God, and whether any such have married again.

Item, Whether you know any to have made privy contracts of matrimony, not calling two or more witnesses thereunto, nor having thereto the consent of their parents.

Item, Whether they have married solemnly, the banns not first lawfully asked.

Item, Whether you know any executors, or administrators of dead men's goods, which do not only bestow such of the said goods, as were given and bequeathed, or appointed to be distributed among the poor people, repairing of highways, finding of poor scholars, or marrying of poor maidens, or such other like charitable deeds.

Item, Whether you know any, that keep in their houses any undefaced images, tables, pictures, paintings, or other monuments of feigned and false miracles, pilgrimages, idolatry, and superstition, and do adore them, and specially such, as have been set up in churches, chapels, and oratories.

Item,

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Item, What books of holy scripture you have delivered to be burnt, or otherwise destroyed, and to whom you have delivered the same.

Item, What bribes the accusers, promoters, persecuters, ecclesiastical judges, and other the commissioners, appointed within the several dioceses of this realm, have received by themselves or other of those persons which were in trouble, apprehended, or imprisoned for religion.

Item, What goods moveable, lands, fees, offices, or promotions have been wrongfully taken away in the time of queen Mary's reign from any person, which favoured the religion now set forth.

Item, How many persons have for religion died by fire, famine, or otherwise, or have been imprisoned for the same.

Item, That you make a true presentment of the number of all persons, which died within your parishes sithence the feast of St. John the Baptist, which was in the year of our Lord God one thousand five hundred fifty and eight, unto the feast last past; making therein a plain distinct declaration, how many men, women, and men children the same were, and the names of the men.

Item, Whether you know any man in your parish secretly, or in unlawful conventicles say or hear mass, or any other service prohibited by the law.

Item, Whether you know any person in your

parish to be a slanderer of his neighbors, or a sower of discord between party and party, man and wife, parents and their children; or that hath invented, bruited, or set forth any rumours, false and seditious tales, slanders, or makers, bringers, buyers, sellers, keepers, or conveyers of any unlawful books, which might stir and provoke sedition, or maintain superstitious service within this realm, or any aiders, counsellors, procurers, or maintainers thereunto.

Item, Whether the church of your parish be now vacant or no; who is the patron thereof; how long it hath been vacant; who doth receive the tithes, oblations, and other commodities, during the time of the vacation, and by what authority; and in what estate the said church is at this time, and how long the parson or vicar hath had that benefice.

Item, Whether any minstrels, or any other persons do use to sing or say any songs or ditties, that be vile or unclean, and especially in derision of any godly order now set forth and established.

Item, Whether the litany in English, with the epistle and gospel, which was by the queen's highness's proclamation willed to be read to the people, were put in use in your churches; and if not, who were the letters thereof.

Item, Whether the curates and ministers do leisurely, plainly, and distinctly read the public prayers, chapters, and homilies, as they ought to do.

God save the queen.

Papae Rom.

PAULI IV. 4.

Sede Cant. vacante.

Anno Christi

1559.

Reg. Angliae

ELIZAB. I.

The declaration of the proceedings of a conference begun at Westminster the last of March M.D.LIX. concerning certain articles of religion; and the breaking up of the said conference by default and contempt of certain bishops, parties of the said conference. Ex chartophyl. regio apud Burnet. hist. Reform. vol. 2. app.

P. 345.

THE queen's most excellent majesty, having heard of diversities of opinions in certain matters of religion amongst sundry of her loving subjects, and being very desirous to have the same reduced to some godly and christian concord, thought it best by advice of the lords and others of her privy council, as well for the satisfaction of persons doubtful, as also for the knowlege of the very truth in certain matters of difference, to have a convenient chosen number of the best learned of either part, and to confer together their opinions and reasons, and thereby to come to some good and charitable agreement; and thereupon by her majesty's commandment certain of her said privy council declared this purpose to the archbishop of York, being also one of the said privy council, and required him, that he would impart the same to some of the bishops, and to make choice of eight, nine, or ten of them, and that there should be the like number named of the other part; and further also declared to him (as then was supposed) what the matter should

be, and as for the time, it was thought upon; and then after certain days past it was signified by the said archbishop, that there was appointed (by such of the bishops, to whom he had imparted this matter) eight persons, that is to say, four bishops, and four doctors, who were content at the queen's majesty's commandment; to shew their opinions, and (as he termed it) render account of their faith in those matters, which were mentioned, and that specially in writing; although he said they thought the same so determined, as there was no cause to dispute upon them. It was hereupon fully resolved by the queen's majesty, with the advice aforesaid, that according to their desire it should be in writing on both parts, for avoiding of much altercation in words; and that the said bishops should, because they were in authority of degree superiors, first declare their minds and opinions to the matter, with their reasons, in writing; and the other number being also eight, men of good degree in schools, and some having been in dignity in the church

of

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of England, if they had any thing to say to the contrary, should the same day declare their opinions in like manner; and so each of them shall deliver their writings to the other to be considered, what were to be improved therein, and the same to declare again in writing at some other convenient day, and the like order to be kept in all the rest of the matters.

All this was fully agreed upon with the archbishop of York, and so also signified to both parties; and immediately thereupon divers of the nobility and states of the realm, understanding that such a meeting and conference should be, and that in certain matters thereupon the present court of parliament consequently following, some laws might be grounded, they made earnest means to her majesty, that the parties of this conference might put, and read their assertions in the English tongue, and that in the presence of them, the nobility and others of her parliament house for the better satisfaction, and enabling of their own judgments, to treat and conclude of such laws, as might depend thereupon. This also being thought very reasonable, was signified to both parties, and so fully agreed upon, and the day appointed for the first meeting, to be the Friday in the forenoon, being the last of March, at Westminster church, where both for good order, and for honour of the conferences, by the queen's majesty's commandment, the lords and others of the privy council were present, and a great part of the nobility also. And notwithstanding the former order appointed and consented unto by both parties, yet the bishop of Winchester and his colleagues, alledging, that they had mistaken, that their assertions and reasons should be written, and so only recited out of the book, said their book was not then ready written, but they were ready to argue and dispute, and therefore they would for that time repeat in speech that, which they had to say to the first proposition.

This variation from the former order, and specially from that, which themselves had by the said archbishop in writing before required, adding thereto the reason of the apostle, that "To contend with words is profitable to nothing, but to the subversion of the hearers:" seemed to the queen's majesty somewhat strange, and yet was it permitted without any great reprehension, because they excused themselves with mistaking the order, and argued that they would not fail, but put it in writing, and according to the former order deliver it to the other part. And so the said bishop of Winchester and his colleagues appointed Dr. Cole, dean of Pauls, to be their utterer of their minds, who partly by speech only, and partly by reading of authorities written, and at certain times being informed of his colleagues what to say, made a declaration of their meaning, and their reasons to the first proposition.

Which being ended, they were asked by the privy council, if any of them had any more to be said; and they said, no: so as then the other part was licensed to shew their minds,

which they did according to the first order, exhibiting all that, which they meant to propound, in a book written, which after a prayer and invocation made most humbly to almighty God for enduing of them with his Holy Spirit, and a protestation also to stand to the doctrine of the catholic church, builded upon the scriptures, and the doctrine of the prophets and the apostles, was distinctly read by one Robert Horn, batchelor of divinity, late dean of Duresme; and the same being ended (with some likelihood, as it seemed, that the same was much allowable to the audience) certain of the bishops begun to say contrary to their former answer, that they had now much more to say to this matter; wherein although they might have been well reprehended for such manner of cavillation, yet for avoiding any more mistaking of orders in this colloquy, or conference, and for that they should utter all that, which they had to say, it was both ordered, and thus openly agreed upon of both parts, in the full audience, that upon the Monday following, the bishops should bring their minds and reasons in writing to the second assertion; and the last also, if they could, and first read the same; and that done, the other part should bring likewise theirs to the same, and being read, each of them should deliver to other the same writings; and in the mean time the bishops shall put in writing not only all that, which Dr. Cole had that day uttered, but all such other matters, as they any otherwise could think of for the same, and as soon as might possible, to send the same book, touching the first assertion, to the other part, and they should receive of them that writing, which Master Horn had there read that day, and upon Monday it should be agreed, what day they should exhibit their answer touching the first proposition.

Thus both parts assented thereto, and the assembly was quietly dismissed: and therefore upon Monday the like assembly began again at the place and hour appointed, and there, upon what sinister or disordered meaning is not yet fully known, (though in some parts it be understood) the bishop of Winchester and his colleagues, and specially Lincoln, refused to exhibit or read, according to the former notorious order on Friday, that, which they had prepared for the second assertion; and thereupon by the lord keeper of the great seal they being first gently and favourably required to keep the order appointed, and that taking no place; being secondly, as it behoved, pressed with the more earnest request, they, neither regarding the authority of that place, nor their own reputation, nor the credit of the cause, utterly refused that to do.

And finally, being again particularly every one of them apart distinctly by name required to understand their opinions therein, they all (saving one, which was the abbot of Westminster, having some more consideration of order and his duty of obedience, than the other) utterly and plainly denied to have their book

PROCEEDINGS OF A CONFERENCE AT WESTMINSTER. 193

book read; some of them, as more earnestly than other some, so also some others more indiscreetly and irreverently than others.

Whereupon giving such example of disorders, stubborness, and self will, as hath not been seen and suffered in such an honourable assembly, being of the two estates of this realm, the nobilities and commons, besides the persons of the queen's majesty's most honourable privy council, the same assembly was dismissed, and the godly and most christian purpose of the queen's majesty made frustrate. And afterwards, for the contempt so notoriously made, the bishops of Winchester, and Lincoln, who have most obstinately disobeyed both common

authority, and varied manifestly from their own order, specially Lincoln, who shewed more folly than the other, were condignly committed to the tower of London, and the rest (saving the abbot of Westminster) stand bound to make daily their personal appearance before the council, and not to depart the city of London, and Westminster, until further order be taken with them for their disobedience and contempt.

N. Bacon, cust. figill.	W. Cecil.
F. Shrewsbury.	Pembrok.
G. Rogers.	E. Clynton.
F. Bedford.	A. Cave.
T. Knollys.	

Papae Rom.
PAULI IV. 5.

Sede Cant. vacante.

Anno Christi
1559.

Reg. Angliae
ELIZAB. I.

Commissio regia visitoribus suis in partibus borealibus. Ex Burnett hist. reform.
vol. II. Collect. of records p. 350.

ELIZABETHA, Dei gratia Angliae, Franciae, et Hiberniae regina, fidei defensor, etc. charissimis consanguineis et consiliariis nostris, Francisco comiti Salop. domino praesidenti concilii nostri in partibus borealibus, et Edwardo comiti de Darbia, ac charissimo consanguineo nostro Thomae comiti Northumb. domino guardiano five custodi marchiarum nostrarum "De le East March," et "Middle March," versus Scotiam; ac perdilecto et fideli nostro Willelmo domino Evers, ac etiam dilectis et fidelibus nostris Henrico Piercy, Thomae Gargrave, Jacobo Crofts, et Henrico Gates, militibus; necnon dilectis nobis Edwino Sandys, sacrae theologiae professori, Henrico Harvy, legum doctori, Richardo Bowes, Georgio Brown, Christophoro Estcot, et Richardo King-smell, armigeris, salutem. Quoniam Deus populum suum Anglicanum imperio nostro subjecit, cujus regalis suscepti muneris rationem perfecte reddere non possumus, nisi veram religionem et sincerum numinis divini cultum, in omnibus regni nostri partibus propagaverimus; nos igitur regalis et absolutae potestatis nostrae nobis in hoc regno nostro commissae respectu, quoniam utrumque regni nostri statum tam ecclesiasticum, quam laicum visitare, et certas pietatis ac virtutis regulas illis praescribere constituimus, praefatum Franciscum comitem Salop. Edwardum comitem de Darbia, Thomam comitem Northumb. Willelmum dominum Evers, Henricum Piercy, Thomam Gargrave, Jacobum Crofts, Henricum Gates, milites; Edwinum Sandys, Henricum Harvy, Georgium Brown, Christophorum Estcot, Richardum Bowes, et Richardum King-smell, armigeros, ad infra scriptum vice, nomine, et auctoritate nostris exequendum, vos quatuor, tres, aut duos vestrum ad minimum deputavimus et substitui-mus. Ad visitandum igitur tam in capite, quam in membris ecclesias cathedrales, civitates, et dioeceses Eboracen. Cestrenf. Dunelmen. et Carliolen. necnon quascunque alias col-

legiatas, parochiales, et praebendales ecclesias, et loca alia ecclesiastica quaecunque, tam exempta, quam non exempta, in et per easdem civitates et dioeceses^a visabiliter constitutas, cle-rumque et populum earundem in eisdem degentes five residentes; deque statu ecclesiarum et locorum huiusmodi, necnon vita, moribus, et conversatione, ac etiam qualitatibus personarum in ecclesiis et locis praedictis degentium si-ve commorantium, modis omnibus, quibus id melius aut efficacius poteritis, inquirendum et in-vestigandum; criminosos, ac susceptae religioni subscribere obstinate et peremptorie recusantes, vel quocunque alio modo delinquentes, atque culpabiles, condignis poenis, etiam usque ad beneficiorum, dignitatum, five officiorum suorum privationem fructuum vel reddituum, et proventionem ecclesiarum, et locorum, quibus praesunt, sequestrationem, vel quamcunque a- liam congruam et competentem coercionem inclusive puniendam et corrigendam; atque ad probatiores vivendi mores modis omnibus, qui- bus ad melius, et efficacius poteritis, reducendum. Testamenta quorumcunque defunctorum infra loca praedicta decedentium probanda, appro- banda, et informanda; administrationesque bo- norum eorundem executoribus in eisdem testa- mentis nominatis committendum, administra- tionesque insuper, ac sequestrationes bonorum ab intestatis, five per viam intestatorum etiam de- scendentes, in debita juris forma expediendum, et concedendum, ac committendum; compu- tos quoque tam executorum, quam administra- torum, et sequestratorum quorumcunque reci- piendum, examinandum, admittendum, termi- nandum, ac insuper eosdem executores, admi- nistratores, et sequestratores omnes et singulos acquietandum, relaxandum, et finaliter dimit- tendum; causasque quascunque examinandum, audiendum, et finaliter terminandum: contu- maces autem et rebelles, cujuscunque conditi- onis five status fuerint, si quos inveneritis, tam per censuras ecclesiasticas, quam personarum

apprehensionem, et incarcerationem, ac recognitionem, acceptionem, ac quaecunque alia juris regni nostri remedia compescendum; necnon injunctiones praesentibus annexas, personis in eisdem nominatis, nomine nostro, tradendum, aliasque injunctiones congruas et competentes, vice et auctoritate nostris, eis indicendum, dandum, et assignandum, poenasque convenientes in earum violatores infligendum et irrogandum. Ecclesias etiam et alia loca dimissorum vacantia, et pro vacantibus habenda fore decernendum et declarandum, pensionesque legitimas congruas et competentes cedentibus vel resignandis hujusmodi assignandum et limitandum, praesentatosque ad beneficia ecclesiastica quaecunque infra civitates, ecclesias, aut dioeceses praedictas constituta, durante visitatione nostra hujusmodi, si habiles fuerint et idonei, ad eadem admittendum, ac de et in eisdem instituendum ac investiendum cum suis juribus et pertinentibus universis, eosque in realem, actualem, et corporalem possessionem earundem inducendum, et induci faciendum, atque mandandum; necnon clericorum et beneficiariorum quorumcunque tam pro ordinibus, quam beneficiis per eos adeptis, literas et munimenta exigendum, et recipiendum, eaque diligenter examinandum et discutiendum, et quos non sufficienter munitos in ea parte compereritis, ab officio dimittendum, et sic jure munitis declarandum et pronunciandum. Synodos quoque et capitula tam generalia, quam specialia cleri et populi hujusmodi per executionem praemissorum aut reformationem quamcunque faciendum et convocandum; procuraciones quoque et synodalia ratione nostrae hujus visitationis debite petendum, exigendum, et levandum, ac etiam non solventes, aut solvere recusantes, per censuras ecclesiasticas compellendum, coercendum, et cogendum; necnon concionandi potestatem hujusmodi personis concedendum, quas ad hoc divinum munus suscipiendum aptas esse judicaveritis; incarceratos quoque et vinculis commissos ob religionis causam, antea licet condemnatos, causis incarcerationis, et condemnationis hujusmodi prius examinatis, et plenarie discussis, examinandum, discutiendum, ac in integrum, justitia id poscente, restituendum, deliberandum, et extra prisonam dimittendum; necnon causas deprivationum examinandum, ac contra statuta et ordinationes hujus regni nostri Angliae, vel juris ecclesiastici ordinem deprivatos, restituendum, ac omnia et singula alia, quae circa hujusmodi visitationis, seu reformationis negotia necessaria fuerint, seu quomodolibet opportuna, etiamsi verba magis specialia de se exigunt et requirunt, faciendum et expediendum vobis quatuor, tribus, aut duobus vestrum, ut praefertur, de quorum emi-

nenti doctrina, morumque et consilii gravitate, ac in rebus gerendis fide et industria plurimum confidimus, vices nostras committimus, ac plenam in dicto tenore praesentium concedimus facultatem, cum cujuslibet congruae et legitimae coercionis potestate. Et praeterea certos viros prudentes ac pios assignandum et nominandum, per quos de statu rerum instruimini, et quorum opera praesentes utimini, in omnibus causis ad hanc visitationem nostram spectantibus, quantum vobis convenire videbitur. Iidem viri a vobis commissariis assignati, plenam potestatem habebunt, etiam post commissariorum decessum, et post finitum etiam visitationis tempus, de omnibus articulis, ordinibus, et institutis ejusdem visitationis inquirendi; et violatores eorum, cujuscunque conditionis fuerint, conveniendi et examinandi; et omnes querelas, quatenus ullum impedimentum aut offensionem nostrae visitationis continebunt, accipiendi et audiendi, et hujusmodi personas, offensiones, et querelas commissariis nostris Londini residentibus, et ad ecclesiasticarum rerum reformationem delegatis, praesentabunt et exhibebunt illis viis et modis, quibus hoc convenientissime videbunt fieri posse; mandantes omnibus et singulis majoribus, vicecomitibus, justitiariis, ac quibuscunque aliis officiariis, ministris, et subditis nostris, quatenus nobis in et circa praemissorum executionem effectualiter assistant, auxilientur, et suffragentur. Ut insuper sagacitatis, diligentiae, factorumque vestrorum omnium evidens et perpetuum specimen nobis posterisque nostris remaneat, inventaque et invenienda pro recordatorum defectu debitam reformationem, correctionemve non subterfugiant, aut a memoria prolabantur; nos suprema ac regali auctoritate nostra praedicta, dilectos et fideles subditos nostros, Thomam Piercy, et Johannem Hoges, et eorum deputatos per commissarios nostros approbandos, notarios praecipuos perantea legitime existentes, actorum, instrumentorum, decretorum, summarum, judiciorum, censurarum, caeterorumque omnium et singulorum, quae per vos, vestrumve aliquem in visitatione hac nostra regia peragentur, judicabuntur, decernentur, fient, ferentur, et pronunciabuntur, scribas, registrarios nostros praecipuos, et principales conjunctim et divisim ordinamus, nominamus, et constituimus, eisque officium et officia registri scribae nostri in praesenti cum omnibus officia praedicta tangentibus, eorumque deputatis, per commissarios nostros approbandis, conjunctim et divisim damus, deputamus, assignamus, et decernimus per praesentes. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipsa apud Westm. 24. die Junii, anno regni nostro primo.

A decla-

A declaration of certain principal articles of RELIGION. 195

Papae Rom.
PAULI IV. 5.

Sede Cant. vacante.

Anno Christi
1559.

Re3. Angliae
ELIZAB. I.

A declaration of certain principal articles of religion set out by the order of both archbishops metropolitans, and the rest of the bishops for the uniformity of doctrine, to be taught and holden of all parsons, vicars, and curates, as well in testimony of their common consent in the said doctrine to the stopping of the mouths of them, that go about to slander the ministers of the church for diversity of judgment, as necessary for the instruction of their people; to be read by the said parsons, vicars, and curates at their possession-taking, or first entry into their cures, and also after that, yearly at two several times, that is to say, the Sunday next following Easter day, and St. Michael the archangel, or on some other Sunday within one month after those feasts, immediately after the gospel.

FORASMUCH as it appertaineth to all christian men, but especially to the ministers, and the pastors of the church, being teachers and instructors of others, to be ready to give a reason of their faith, when they shall be thereunto required; I, for my part, now appointed your parson, vicar, or curate, having before my eyes the fear of God, and the testimony of my conscience, do acknowledge for my self, and require you to assent to the same.

First, That there is but one living and true God, of infinite power, wisdom, and goodness, the maker and preserver of all things; and that in unity of this Godhead there be three persons, of one substance, of equal power and eternity, the Father, the Son, and the Holy Ghost.

II. I believe also, whatsoever is contained in the holy canonical scriptures, in the which scriptures are contained all things necessary to salvation, by the which also all errors and heresies may sufficiently be reprov'd and convicted, and all doctrine and articles necessary to salvation established. I do also most firmly believe and confess all the articles contained in the three creeds, the Nicene creed, Athanasius creed, and our common creed called the Apostles creed; for these do briefly contain the principal articles of our faith, which are at large set forth in the holy scriptures.

III. I do acknowledge also that church to be the spouse of Christ, wherein the word of God is truly taught, the sacraments orderly ministered according to Christ's institution, and the authority of the keys duly used; and that every such particular church hath authority to institute, to change, clean to put away ceremonies, and other ecclesiastical rites, as they be superfluous, or be abused, and to constitute other making more to seemliness, to order, or edification.

IV. Moreover I confess, that it is not lawful for any man to take upon him any office or ministry, either ecclesiastical or secular, but such only as are lawfully thereunto called by their high authorities, according to the ordinances of this realm.

V. Furthermore I do acknowledge the queen's majesty's prerogative and superiority of government of all estates, and in all causes, as

well ecclesiastical as temporal, within this realm, and other her dominions and countries, to be agreeable to God's word, and of right to appertain to her highness, in such sort, as is in the late act of parliament expressed, and thence by her majesty's injunctions declared and expounded.

VI. Moreover, touching the bishop of Rome, I do acknowledge and confess, that by the scriptures and word of God he hath no more authority, than other bishops have in their provinces, and dioceses; and therefore the power, which he now challengeth, that is, to be the supreme head of the universal church of Christ, and to be above all emperors, kings, and princes, is an usurped power, contrary to the scriptures and word of God, and contrary to the example of the primitive church, and therefore is for most just causes taken away and abolished in this realm.

VII. Furthermore I do grant and confess, that the book of common prayer and administration of the holy sacraments, set forth by the authority of parliament, is agreeable to the scriptures, and that it is catholic, apostolic, and most for the advancing of God's glory, and the edifying of God's people, both for that it is in a tongue, that may be understood of the people, and also for the doctrine and form of ministration contained in the same.

VIII. And although in the administration of baptism there is neither exorcism, oil, salt, spittle, or hallowing of the water now used, and for that they were of late years abused and esteemed necessary, where they pertain not to the substance and necessity of the sacrament, that they be reasonably abolished; and yet the sacrament full and perfectly ministered to all intents and purposes, agreeable to the institution of our saviour Christ.

IX. Moreover, I do not only acknowledge, that private masses were never used amongst the fathers of the primitive church, I mean, public ministration and receiving of the sacrament by the priest alone, without a just number of communicants, according to Christ's saying, "Take ye and eat ye," etc. but also, that the doctrine, that maintaineth the mass to be a propitiatory sacrifice for the quick and dead, and a mean to deliver souls out of purgatory,

is

is neither agreeable to Christ's ordinance, nor grounded upon doctrine apostolic, but contrarywise most ungodly and most injurious to the precious redemption of our saviour Christ, and his only sufficient sacrifice offered once for ever upon the altar of the cross.

X. I am of that mind also, that the holy communion or sacrament of the body and blood of Christ, for the due obedience to Christ's institution, and to express the virtue of the same, ought to be ministred unto the people under both kinds; and that it is avouched by certain fathers of the church to be a plain sacrilege, to rob them of the mystical cup, for whom Christ hath shed his most precious blood, seeing he himself hath said, "Drink ye all of this:" considering also, that in the time of the ancient doctors of the church, as Cyprian, Hierom, Augustine, Gelasius, and others six hundred years after Christ and more, both the parts of the sacrament were ministred to the people.

Last of all, as I do utterly disallow the extolling of images, reliques, and feigned miracles, and also all kind of expressing God invisible in the form of an old man, or the Holy Ghost in the form of a dove, and all other vain worshipping of God, devised by man's phantasies, besides or contrary to the scriptures, as wandering on pilgrimages, setting up of candles, pray-

ing upon beads, and such like superstition; which kind of works have no promise of reward in scripture, but contrarywise threatnings and maledictions; so I do exhort all men to the obedience of God's law, and to the works of faith, as charity, mercy, pity, alms, devout and frequent prayer with the affection of the heart, and not with the mouth only, godly abstinence and fasting, charity, obedience to the rulers, and superior powers, with such like works and godliness of life commanded by God in his word, which, as St. Paul saith, "Hath promises both of this life and of the life to come," and are works only acceptable in God's sight.

These things above rehearsed, though they be appointed by common order, yet I do without all compulsion, with freedom of mind, and conscience, from the bottom of my heart, and upon most sure persuasion acknowledge to be true and agreeable to God's word; and therefore I exhort you all, of whom I have cure, heartily and obediently to embrace and receive the same, that we all joining together in unity of spirit, faith and charity, may also at length be joined together in the kingdom of God, and that through the merits and death of our Saviour Jesus Christ, to whom with the Father, and the Holy Ghost, be all glory and empire now and for ever. Amen.

Papae Rom.
PAULI IV. 5.

Sede Cant. vacante.

Anno Christi
1559.

Reg. Angliae
ELIZAB. I.

An address made by some bishops and divines to queen Elizabeth against the use of images. Strype's Ann. ref. vol. 1. fol. 221, 222.

To the queen's most excellent majesty.

WE knowing your gracious clemency, and considering the necessity of the matter, that we have to move, the one doth encourage us, the other compel us (as before) to make our humble petition unto your highness, and to renew our former suit, not in any respect of self will, stoutness, or striving against your majesty (God we take to witness) for with David, we confess, that we are but as "Canes mortui aut pulices" in comparison, but we do it only for that fear and reverence, which we bear to the majesty of almighty God, in whose hands to fall 'tis terrible; for it lieth in his power to destroy for ever, and to cast both body and soul into hell fire; and lest in giving such offence to the little ones, in setting a trap of errors for the ignorant, and digging a pit for the blind to fall into, we should not only be guilty of the blood of our brethren, and deserve the wrathful "Vae" and vengeance of God, but also procure to our reclaiming consciences the biting worm, that never dieth for our endless confusion. For in what thing soever we may serve your excellent majesty, not offending the divine majesty of God, we shall with all humble obedience be most ready thereunto, if it be even to the loss of our life, for so God commandeth of us, duly requireth of us, and we with all conformity have put in proof; and as God through your gracious government hath delivered unto us in-

numerable benefits (which we most humbly acknowledge, and with due reverence daily give him thanks) so we do not doubt, but that of his mercy he will happily finish in your majesty that good work, which of his free favour he hath most graciously begun; that following the examples of the godly princes, which have gone before, you may clearly purge the polluted church, and remove all occasions of evil. And for so much as we have heretofore at sundry times made petition to your majesty, concerning the matter of images, but at no time exhibited any reasons for the removing of the same; now lest we should seem to say much and prove little, to allege consciences without the warrant of God, and unreasonably require that, for the which we can give no reason, we have at this time put in writing, and do most humbly exhibit to your gracious consideration those authorities of the scriptures, reasons, and pithy persuasions, which as they have moved all such our brethren, as now bear the office of bishops, to think and affirm images not expedient for the church of Christ, so will they not suffer us, without the great offending of God, and greivous wounding of our own consciences (which God deliver us from) to consent to the erecting or retaining of the same in the place of worshipping; and we trust and most earnestly ask it of God, that they may also persuade your majesty, by your regal authority,

and

and in the zeal of God, utterly to remove this offensive evil out of the church of England, to God's great glory, and our great comfort.

The substance of their reasons is; that the second commandment forbids the making of any images, as a resemblance of God. And Deut. xxvii. there was a curse pronounced on those, "Who made an image, an abomination to the Lord, and put it in a secret place:" which they expounded of some sacraria, in private houses. And Deut. iv. among the cautions Moses gives to the people of Israel to beware of idolatry, this is one: "That they do not make an image:" for the use of these do naturally degenerate into idolatry. The Jews were so sensible of this after the captivity, that they would die rather, than suffer an image to be put in their temple. The book of Wisdom calls an image, "A snare for the feet of the ignorant." St. John charged those he writ to, "To beware of idols:" so Tertullian said: "It was not enough to beware of idolatry towards them, but of the very images themselves." And as Moses had charged the people not to lay a stumbling block in the way of the blind, so it was a much greater sin to leave such a trap for the weak multitude. This was not for edification; since it fed the superstition of the weak and ignorant, who would continue in their former dotage upon them, and would alienate others from the public worship; so that between those, that would separate from them, if they were continued, and the multitude, that would abuse them, the number of those, that would use them aright, would be very inconsiderable. The outward splendor of them would be apt to draw the minds of the worshippers, if not to direct idolatry, yet to staring, and distraction of thoughts. Both Origen, and Arnobius tell us, that the primitive christians had no images at all. Irenaeus accused the Gnostics for carrying about the image of Christ. St. Austin commends Varro, for saying, that the old Romans worshipped God more chastly, without the use of any images. Epiphanius tore a veil with an image on it, and Serenus broke images in Gregory the great's time. Valens, and Theodosius made a law against the painting, or graving of the image of Christ: and the use of images in the eastern churches brought those distractions on that empire, that laid it open to the invasions of the Mahometans.

Having thus declared to your highness a few causes of many, which do move our consciences in this matter, we beseech your highness most humbly, not to strain us any further; but

to consider, that God's word doth threaten a terrible judgment unto us, if we, being pastors, and ministers in his church, should assent unto the thing, which in our learning, and conscience we are persuaded doth tend to the confirmation of errors, superstition, and idolatry, and finally, to the ruins of the souls committed to our charge: for the which we must give an account to the prince of pastors at the last day. We pray your majesty also not to be offended with this our plainness, and liberty, which all good and christian princes have ever taken in good part at the hands of godly bishops.

St. Ambrose writing to Theodosius the emperor, useth these words: "Sed neque imperiale est libertatem dicendi negare, neque sacerdotale, quod sentiant, non dicere."

And again: "In causa vero Dei, quem audies, si sacerdotem non audies, cujus majori peccatur periculo, quis tibi verum audebit dicere, si sacerdos non audeat?"

These, and such like speeches of St. Ambrose, Theodosius, and Valentinianus the emperors did take in good part; and we doubt not, but your grace will do the like, of whose not only clemency, but also beneficence we have largely tasted.

We beseech your majesty also in these, and such like controversies of religion, to refer the discussion, and deciding of them to a synod of the bishops, and other godly learned men, according to the example of Constantinus magnus, and other christian emperors; that the reasons of both parties being examined by them, the judgment may be given uprightly in all doubtful matters.

And to return to this present matter, we most humbly beseech your majesty to consider, that besides weighty causes in policy, which we leave to the wisdom of the honourable counsellors, the establishing of images by your authority, shall not only utterly discredit our ministries, as builders of the thing, which we have destroyed; but also blemish the fame of your most godly brother, and such notable fathers, as have given their lives for the testimony of God's truth, who by public law removed all images.

The almighty and everlasting God plentifully endue your majesty with his spirit, and heavenly wisdom, and long preserve your most gracious reign, and prosperous government over us, to the advancement of his glory, to the overthrow of superstition, and to the benefit, and comfort of all your highness's loving subjects. Amen.

Sede Rom. vacante.

Sede Cant. vacante.

Anno Christi

Reg. Angliae

1559.

ELIZAB. 1.

A commission from the queen to my lord treasurer, Sir Richard Sackville, Sir Walter Mildmay, and Mr. Kelleway, September 13. concerning the exchange of impropriate tithes for bishops lands.

RIGHT trusty and right well beloved cousin, and trusty and well beloved we greet you well. And whereas by one act passed in our late parliament, it was, among other things, granted unto us, that upon the vacation of every archbishoprick or bishoprick within this our realm of England, it should be lawful for us to take into our hands, and possessions as much and so many of any the honours, castles, manors, lands, and tenements, and other hereditaments, being parcel of the possessions of any such archbishoprick or bishoprick, so being void, as the clear yearly value of all our parsonages impropriate, and yearly tenths within every such archbishoprick or bishoprick should yearly amount unto. And for the trial of the very value of such honours, castles, manors, lands, tenements, and hereditaments, it should be lawful for us to appoint commissioners to survey the same from time to time; and thereupon to certify the very clear yearly value thereof, over all charges, into our court of Exchequer, by such time as shall be to the said commissioners appointed, with such further matter, as in the said act thereof made, more fully is contained. Forasmuch as we have thence, according to the said act, addressed forth sundry our commissions for the survey of the lands, tenements, and other hereditaments of certain archbishopricks and bishopricks presently vacant, the certificates of which commissions be in part already returned un-

to our said court of Exchequer, and the rest looked for daily; we let you wete, that for the proceeding to the end in the said matters, according to the meaning of the said act, knowing your approved wisdoms, diligences, and dexterities in such causes, we have, and by these presents do authorize you four, three, or two of you, to consider diligently as well the certificates of such lands of archbishopricks or bishopricks, as be already returned, as also such other certificates of the like lands, as shall hereafter be returned, and certified unto our said court of Exchequer; and further likewise to consider, what parcels of the said lands, tenements, and hereditaments shall be meetest for us to take into our hands and possession, and what impropriations or yearly tenths we shall, in recompence of the said lands, depart withal again, with such further matter in and about the premises, as your wisdoms shall think meet for our knowledge; willing and requiring you, after the deliberation and advised consideration of the premises, to certify unto us your opinion in writing, what you think most meet for us to do in the cases aforesaid, to the intent we may resolve our determinate pleasure, touching the same, as shall be then thought good by us. And hereof fail you not, as we specially trust you: and these our letters shall be your sufficient warrant, and discharge in this behalf. Yeven, etc.

Sede Rom. vacante.

Sede Cant. vacante.

Anno Christi

Reg. Angliae

1559.

ELIZAB. 2.

Breve regium pro consecratione archiepiscopi Parker. Ex registr. Parker. tom. I. fol. 3. Vid. Mason of consecration, etc. f. 126.

ELIZABETHA, Dei gratia, etc. reverendis in Christo patribus Anthonio, Landaven. episcopo, Will. Barlow, quondam Bath. et Well. episcopo, nunc Cicestrensi electo; Johanni Scory, quondam Cicestrensi episcopo, nunc electo Hereford. Miloni Coverdallo, quondam Exoniensi episcopo; Johanni suffraganeo Bedford; Johanni suffraganeo Thetford; Johanni Bale, Offorensi episcopo.

Quatenus vos, aut ad minus quatuor vestrum eundem Matthaeum Parkerum in archiepisco-

pum, et pastorem ecclesiae cathedralis, et metropoliticae Christi Cant. praedictae, sicut praefertur, electum, electionemque praedictam confirmare, et eundem magistrum Matthaeum Parkerum in archiepiscopum, et pastorem ecclesiae praedictae consecrare, caeteraque omnia et singula peragere, quae vestro in hac parte incumbunt pastoralis officio, juxta formam statutorum in ea parte editorum et provisorum, velitis cum effectu, etc. Dat. sexto Decembris, anno secundo Elizabethae.

Rituum et ceremoniarum ordo in consecratione reverendissimi domini Matthaei Parker, archiepiscopi Cant. in capella infra manerium suum de Lambbith, die dominico, viz. decimo sexto mensis Decembris, anno Domini M.D.LIX.

PRINCIPIO facellum tapetibus ad orientem adornabatur, solum vero panno rubro internebatur; mensa quoque sacris peragendis necessaria, tapeto pulvinarique ornata, ad orientem

sita erat.

Quatuor praeterea cathedrae quatuor episcopis, quibus munus consecrandi archiepiscopi delegabatur, ad austrum orientalis facelli partis erant

erant positae; scamnum praeterea tapeto pulvinaribusque instratum, cui episcopi genibus flexis inniterentur, ante cathedras ponebatur.

Pari quoque modo cathedra, scamnumque tapeto pulvinarique ornatum, archiepiscopo ad borealem orientalis ejusdem sacelli partis plagam posita erant.

Hiis rebus ita ordine suo instructis, mane circiter quintam, aut sextam, per occidentalem portam ingreditur sacellum archiepiscopus togatari coccinea, caputioque indutus, quatuor praecedentibus funalibus, et quatuor comitatus episcopis, qui ejus consecrationi inservirent; videlicet, Willielmo Barlow, olim Bathon. et Wellen. episcopo, nunc vero ad Cicestrensem episcopatum electo, Johanne Scory, olim Cicestrensi episcopo, et nunc ad Herefordensem vocato, Milone Coverdale, olim Exon. episcopo, et Johanne Hodgskinne, Bedfordiae suffraganeo. Qui omnes postquam sedes sibi paratas ordine singuli suo occupassent, preces continuo matutinae per Andream Pierson, archiepiscopi capellanum, clara voce recitabantur. Quibus peractis, Johannes Scory, de quo supra diximus, suggestum conscendit, atque inde assumpto sibi in thema: "Seniores ergo, qui in vobis sunt, obsecro, consenior," etc. non ineleganter concionabatur.

Finita concione, egrediuntur simul archiepiscopus, reliquique quatuor episcopi sacellum, se ad sacram communionem paraturi, neque mora confestim per borealem portam in vestiarium, ad hunc modum vestiti, redeunt. Archiepiscopus nimirum linteo superpellicio (quod vocant) induebatur; Cicestrenf. electus capa serica ad sacra peragenda paratus utebatur: cui ministrabant, operamque suam praebebant, duo archiepiscopi capellani; videlicet, Nicolaus Bullingham, Lincoln. archidiaconus, et Edmundus Geste, Cantuariensis quoque archidiaconus, capis sericis similiter vestiti. Hereford. electus, et Bedfordiae suffrag. linteis superpelliceis induebantur.

Milo vero Coverdallus non nisi toga lanea talarum utebatur. Atque hunc in modum vestiti, et instructi, ad communionem celebrandam perrexerunt. Archiepiscopo genibus flexis ad infimum sacelli gradum sedente.

Finito tandem evangelio, Hereforden. electus, Bedfordiae suffraganeus, et Milo Coverdale (de quibus supra) archiepiscopum coram Cicestrensi electo apud mensam in cathedra sedenti, his verbis adduxerunt: "Reverende in Deo pater, hunc virum pium pariter atque doctum tibi offerimus, atque praesentamus, ut archiepiscopus consecratur." Postquam haec dixissent, proferebatur illico reginae diploma, sive mandatum pro consecratione archiepiscopi. Quo per reverendum Thomam Yale, legum doctorem perlecto, sacramentum de regio primatu, sive suprema ejus auctoritate tuenda, juxta statuta primo anno regni serenissimae reginae nostrae Elizabethae promulgata, ab eodem archiepiscopo exigebatur, quod cum ille solenniter, tactis corporaliter sacris evangeliiis, conceptis verbis praestitisset, Cicestren. electus quaedam praefatus, atque populum ad orationem hortatus ad letanias decantandas, choro respon-

dente, se accinxit. Quibus finitis, post quaestiones aliquot archiepiscopo per Cicestren. electum propositas, et post orationes et suffragia quaedam juxta formam libri auctoritate parlamenti editi, apud Deum habita, Cicestrensis, Herefordensis, suffraganeus Bedfordiensis, et Milo Coverdallus manibus archiepiscopo impositis: "Accipe, inquiunt, Spiritum Sanctum, et gratiam Dei, quae jam per impositionem manuum in te est, excitare memento: non enim timoris, sed virtutis, dilectionis, et sobrietatis spiritum dedit nobis Deus." His ita dictis, Biblia sacra illi in manibus tradiderunt, hujusmodi apud eum verba habentes: "In legendo, hortando, et docendo, vide diligens sis, atque ea meditare assidue, quae in hisce libris scripta sunt. Noli in his segnis esse, quo incrementum inde proveniens omnibus innotescat, et palam fiat. Cura, quae ad te et ad docendi munus spectant diligenter. Hoc enim modo non te ipsum solum, sed et reliquos auditores tuos per Jesum Christum Dominum nostrum salvabis." Postquam haec dixissent, ad reliqua communionis solennia pergit Cicestren. nullum archiepiscopo tradens pastorale baculum, cum quo communicabant una archiepiscopus, et illi episcopi supra nominati, cum aliis etiam nonnullis.

Finitis tandem, peractisque sacris, egreditur per borealem orientalis sacelli partis portam archiepiscopus, quatuor illis comitatus episcopis, qui eum consecraverant, et confestim eisdem ipsis stipatus episcopis, per eandem revertitur portam, albo episcopali superpelliceo, chimeraque (ut vocant) ex nigro serico indutus, circa collum vero collare quoddam ex preciosis pellibus sabellinis (vulgo "Sables" vocant) confutum gestabat. Pari quoque modo Cicestrensis, et Herefordensis suis episcopalibus amictibus, superpelliceo sc. et chimera uterque induebatur; D. Coverdallus vero, et Bedfordiae suffraganeus, togis solummodo talaribus utebantur. Pergens deinde occidentalem partem versus archiepiscopus, Thomae Doyle, oeconomo, Johanni Baker, thesaurario, et Johanni Marche, computo rotulario, singulis singulos albos dedit baculos, hoc scilicet modo eos muneribus, et officiis suis ornans. His itaque hunc ad modum ordine suo, ut jam antedictum est, peractis, per occidentalem portam sacellum egreditur archiepiscopus, generosioribus quibuscunque sanguine ex ejus familia eum praecedentibus, reliquis vero eum a tergo sequentibus.

Acta gestaue haec erant omnia in praesentia reverendorum episcoporum Edmundi Grindall, London. episcopi electi, Richardi Cokes, Eliensis electi, Edwini Sandes, Wigorniensis electi, Anthonii Hulse, armigeri principalis, et primarii registrarii dicti archiepiscopi, Thomae Argall armigeri, registrarii curiae praerogativae Cant. Thomae Willet, et Johannis Incent, notariorum publicorum, et aliorum quoque nonnullorum.

Concordat cum originali in biblioth. collegii Corp. Christi apud Cantab. ita testor Matth. Whinn, notarius publicus, et acad. Cantab. registrarius principalis, Jan. 8. M.DC.LXXIV.

De

Sede Rom. vacante.

Archiepisc. Cant.
MATTH. PARKER I.Anno Christi
1559.Reg. Angliae
ELIZAB. 2.*De cantionibus matutinalibus in ecclesia Exon.* Ex reg. dec. et cap. Exon. lib. III.
fol. 145.

CUM quidam Londinenses, qui huc venerant ad nundinas S. Nicolai, et quidam cives hujus civitatis cantiones quasdam vernaculas rhythmicas (quas psalmos vocabant) in choro ecclesiae cathedralis in matutinalibus precibus a visitatoribus dominae nostrae reginae, mane ad horam sextam, ut supra praemittitur in injunctionibus, mandatis, et praescriptis, una cum mulieribus nonnullis privata sua auctoritate quotidie cantillarent, et ministros ecclesiae in eisdem precibus interturbarent, venerabilis vir magister Willelmus Lafon, capituli praesidens de hujusmodi cantionibus, cum quibusdam illorum, nominatim, viris, cum Richardo Prestwood, vicecom. civitatis, et Johanne Periam, mercatore, qui ejus rei dicebantur auctores, diversis temporibus contulit, et sermones habuit, admonens eos, ne hujusmodi cantiones sine ulla auctoritate legitima, et contra verba expressa statuti anno primo dominae reginae Elizabethae editi, ecclesiae nostrae obtruderent, neve ministros ecclesiae in executione precum a visitatoribus praedictis mandatarum impedirent; ipsi tamen nihilominus easdem cantiones quotidie obstinatius in choro ecclesiae praedictae continuarent, ac in sedibus vicariorum una cum mulieribus sederent, easque occuparent, ita ut vicariis, caeterisque ministris ecclesiae locus ad sedendum relictus non fuerit: illud etiam temeritati suae addiderunt, ut canonicos hujus ecclesiae, et vicarios apud virum honorabilem Jacobum Montjoye, dominum Montjoye, nec non apud viros venerabiles Johannem Juel S. T. professorem, et Reynaldum Mohun armigerum, visitatores dominae nostrae reginae criminationibus, et falsis delationibus accusarent; super quorum delationibus praedicti venerabiles viri literas scripserunt praesidenti capituli, et canonicis residentiariis, quas praesidens capituli recepit 31. Decembris, quarumque tenor sequitur in haec verba:

“After our hearty commendations. Whereas in the queen’s majesty’s late visitation in Exon, order was taken, that the vicars of your church should weekly, and by course say the morning prayer in the choir of your cathedral church, whereunto the people might at time convenient meet together to serve God; and they so resorting reverently, and in great numbers for their greater comfort and better stirring up of their hearts to devotion, appointed amongst themselves at every such meeting to sing a psalm, and altogether with one voice to give praise unto God, according to the use and manner of the primitive church; which order, taken by the visitors, you promised by your corporal oath to see observed. We have now of late heard say, that contrary to the said order, and your own oath, certain of your vicars have scoffed and jested openly at the godly doings of the

people in this behalf, and by divers and sundry ways have molested and troubled them; and that you the canons there, which of all others should most have rejoiced hereat, and should have encouraged the people to go forward, have very uncourteously forbidden them the use of your choir, and that at such time, when there was the greatest concourse of the country folk into your city, that your ill doings might be an example for all the country, only as it may well appear, for that it grieved you to see God so devoutly served. The grievousness of the facts might justly cause us to send for the doers, and to use farther extremity herein; but hoping of your conformity henceforth, we require and charge you to see, that your vicars, and others your priests there not only leave their frowardness, which they have used, but also that they aid and assist the people in these their godly doings; and that you suffer them to use your choir for that time, according to the order taken; and further, that you use yourselves in such sort, both herein, and in all other things, that there be no cause given to the people justly to complain, as you will answer to the contrary. Thus fare you well. From London the 16. of December M.D.LIX.

Subscriptio: *By your loving friends,*Jo. Juel. Jam. Montjoye.
Raynold Mohun.Superscriptio: *To our loving friend the president of the chapter house of Exon, and to the canons resident there, and to every of them.*

Quibus quidem literis dicti praesidens, et capitulum per alias literas, quarum tenor postea sequitur, hanc dederunt responsum:

“With our humble commendations, it may please you to be advertised: that we have received your letters, dated at London the 16. of this December; for answer whereunto your honours shall understand, that since that order was taken in the queen’s majesty’s late visitation for morning prayer to be said daily in the choir of the cathedral church here, and a certain form prescribed therein, the same hath been well and diligently hitherto observed; notwithstanding forasmuch as divers private persons of their own head, and authority, about St. Nicholas tide last past, presumed to sing, and caused to be sung certain psalms, as they call them, in English metre or rhyme, in disturbance of the injunctions given for order of the said prayer, wherein is no mention made of such psalms to be sung, as you shall perceive by the tenor thereof (which herewith we have sent you) we considering this statute made in the last parliament

ment for uniformity of common prayer, and service in the church, in the which amongst other things is enacted: "That if any person or persons whatsoever shall by open fact, deed, or by open threatnings compel, or cause, or otherwise procure and maintain any parson, vicar, or other minister in any cathedral, or parish church, or in chapel, or in any other place, to sing or say any common and open prayer, or to administer any sacrament otherwise, or in any other manner and form, than is mentioned in the said book, or that by any of the said means shall unlawfully interrupt, or let any parson, vicar, or other minister, in any cathedral, or parish church, chapel, or any other place, to sing or say common and open prayer, or to minister the sacraments, or any of them, in such manner and form, as is mentioned in the said book; that then every such person, being thereof lawfully convicted, shall forfeit to the queen our sovereign lady, her heirs, and successors, for the first offence an hundred marks," etc. as in the said statute, amongst other things, may more at large appear. Which statute being so precisely made, and under so great pains, we thought it our bounden duty, to stay this their presumptuous attempt, proceeding of their private phantasms without authority, and that they should no further obtrude such things to our ministers, both for the discharge of us and them. And thereupon have had with divers the authors thereof, and others in authority fundry conference, to cease in such their songs; admonishing them of the said statute, and of their duty of obedience to the same, and requesting them to cease such their doings, till such time as order were taken therein by the superior powers; which to do they have refused, and yet continue the same without further interruption of us, ordering the choir here at their pleasures. How the choir is abused by them, the ministers excluded out of their stalls, and we reviled with unchristian

and uncharitable words and reproaches, this bearer can more at large declare to your honours. Thus have we opened unto you the whole effect and truth of our doings, and the causes thereof, which seemeth to us weighty, whatsoever our adversaries have untruly reported to your honours against us; as in that they say, amongst other misreports, that we give evil example to the country; which is rather done by them, by their disobedience to the statute, and presumptuous attempt, where they have nought to do: we affect and desire the service of God to be set forward; nor is it no grief to us, but much comfort to see God devoutly served; only we wish it may be done in order, and honestly, and not after the devise of every private person. These premises considered, we doubt not, but that your honours will consider our just doings herein, and to weigh the said statute according to your wisdom, and our discharge, and further to do, as neither we nor our ministers here may sustain any damage herein; but that for our doings in the premises, if the said psalms shall be continually sung, we may have sufficient warrant against the said statute, whereof we do most humbly pray you, as we trust your honours; and that it may please you not to credit the reports of our adversaries, but that we may be heard to answer the contrary, as justice requireth with your lawful favours. Thus almighty God long conserve you in prosperous health. At Exeter the 24. of December M.D.LIX.

Subscriptio: Your humble beadesmen, the president and chapter of Exon church.

Superscriptio: To the right honourable the lord Montjoye, and to lord John Fuel, bishop elect of Sarum, and to the right worshipful Mr. Moone Esq; commissioners to the queen's majesty for her grace's visitation in the diocese of Exeter, and to other of their colleagues in the same commission, and to every of them.

Sede Rom. vacante.

Archiepisc. Cant.
MATTH. PARKER I.

Anno Christi
1559.

Reg. Angliae
ELIZAB. 2.

Litterae archiepiscopi Cantuar. et aliorum commissar. regior. de eadem materia.

PRIMO Januarii sub nocte M.D.LIX. dictus venerabilis vir magister Willelmus Leuson, praefidens capituli, recepit literas de eodem negotio tenoris sequentis — "After our hearty commendations unto you. Whereas we the queen's majesty's commissioners are informed, that her highness's late visitors directed their letters to you for the reformation of certain disorders used in your cathedral church, which being of late sent, might peradventure be accepted of small force, because their commission in some part is determined; we have therefore thought good by these our letters to will and require you, to obey, fulfil, and put in execution all and singular the causes, mentioned in the said letter, and also quietly permit and suffer such congregation of people, as shall be at any time hereafter congregated together in the

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said church, to sing or say the godly prayers in the morning, and other times set forth, used and permitted in this church of England, to the laud and praise of his honour and glory, without any of your contradiction to the contrary; and that to be done in the most commodious and convenient place in the said church, whether it be in the choir or elsewhere; as you and every of you will answer to the same at his peril. And thus fare you well. From London this 23. of December M.D.LIX.

Your loving friends,

Matthew Cant. Will. Mey.
Edm. London. Thomas Huyck.

Superscriptio: To our loving friends, the president and chapter of the cathedral church of St. Peter in Exon, and to every of them."

F f f

Litterae

Papae Rom.
PII IV. I.Archiepisc. Cant.
MATTH. PARKER I.Anno Christi
1559.Reg. Angliae
ELIZAB. 2.*Literae reginae de decano Exon. cum responso capituli Exon. et aliis ad electionem decani spectantibus.*

TERTIO Januarii, M.D.LIX. dictus Willelmus Leufon, praesidens capituli, recepit literas serenissimae dominae nostrae reginae Elizabethae pro electione futuri decani; in quibus commendavit praesidenti et capitulo venerabilem virum magistrum Gregorium Dodds, S.T.P. ut plenius patet in eisdem literis, quarum verus tenor sequitur in haec verba:

By the queen.

ELIZABETH.

Trusty and well beloved, we greet you well. Whereas the deanry of our cathedral church of Exeter is at this present void by the death of Dr. Raynolds, the late dean there, considering how requisite it is to have that place, and such like having the charge and government of a multitude, furnished with men of learning, honesty, and wisdom, we thinking it a part of our duty towards God to have regard thereunto, have thought good to recommend unto you, for the place of your dean there, our trusty and well beloved Mr. Gregory Dodds, batchelor of divinity, a man that is (as we are informed) both learned, discreet, and of good life; requiring you therefore in your election of the next dean, to have consideration of him accordingly, the rather for this our commendation of him; and we trust you shall have of him such a head and governor, as shall be both for the common profit of that church, and for the particular comfort of every of you. Yeven under our signet at our palace of Westminster the 16th. of December, the second year of our reign.

Supercriptio: *To our trusty and well beloved the president and chapter of our cathedral church of Exeter.*

Deinde quinto die dicti mensis Januarii M.D.LIX. in domo capitulari dictae ecclesiae cathedralis, hora capitulari consueta, dictus magister Willelmus Leufon, una cum quibusdam canonicis et confratribus suis praesentibus, tractatum habuit de contentis in literis praedictis; et tandem habita matura deliberatione, unanimi eorum consensu pariter et assensu, decrevit omnes praebendarios, et canonicos dictae ecclesiae cathedralis, per affixionem schedularum citatoriarum in eorum stallis infra chorum ecclesiae cathedralis praedictae, juxta morem antiquum, peremptorie monend. et citand. esse, ad comparand. hic in domo praedicta capitulari vicesimo die mensis praedicti Januarii, cum prorogatione et continuatione dierum extunc sequentium, et locorum, si oporteat, ad tractand. una cum eisdem, de et super electione decani praedicti, ac super aliis arduis et gravibus negotiis

dictae ecclesiae cathedralis, hiisque, quae ibidem tractabuntur, voces et suffragia sua consensumque sive dissensum datur. et praebitur. prout illis melius videbitur expedire; cum intimatione, quod sive dictis die et loco veniunt, sive non, praesidens capituli et confratres sui, quicunque praesentes ad electionem futuri decani, et expeditionem caeterorum praemissorum procedere intendunt, eorum contumacia, negligentia, et absentia in aliquo non obstante. Et juxta decretum hujusmodi emanarunt citationes. Praeterea, quia ex antiqua consuetudine hujus ecclesiae cathedralis, decani quicunque non eligeantur, nisi licentia episcopi (qui est fundator et patronus illius dignitatis) prius habita et obtenta, et ex fundatione dictae dignitatis decanalis, unus de canonicis ipsius ecclesiae eligendus est in decanum dictae ecclesiae cathedralis, nec adhuc satis liquet eisdem, quod praedictus magister Dodds sit praebendarius et canonicus hujus ecclesiae; visum est eisdem venerabilibus viris ex debito suo fore, significare praemiss. dictae serenissimae dominae nostrae reginae, et de eisdem scribere ad venerabilem virum magistrum Georgium Carewe, decanum sacelli dictae dominae reginae, et archidiaconum Oxon. canonicumque residentiarium hujus ecclesiae, ut ipse praemissa majestati regiae planius et plenius explicaret. Unde emanarunt literae, quarum tenores subjiciuntur. Praesentes fuerunt dictus magister Leufon, praesidens capituli, magister Walterus Mugge, canonicus residen. Thomas Nutcombe, subdecanus, et Richardus Halse, canonici dictae ecclesiae non residentiar.

Literae script. ad dominam reginam super electione decani.

"Our most dread sovereign lady. Pleaseth your majesty to be advertised, that we have received your gracious letters written to us in the commendation of Mr. Gregory Dodds, batchelor of divinity, whom, for his learning, discretion, and good life, your grace requireth us in our election of the next dean of this your grace's cathedral church of Exeter (the deanry now being vacant by the death of Dr. Raynolds) to have in consideration; which your grace's request as we most earnestly affect to accomplish (our bounden duty so requiring) so have we thought good to signify to your highness the state and foundation of the said deanry, which requireth, that before we proceed to the election, we ought not only to have the licence of the bishop for the time being, who is the founder and patron of that dignity in this church, but also we are bound to elect to the said room one, that is a canon and prebendary of the said church, as our brother Mr. George Carew, dean of your grace's honourable chapel, can more at large declare unto your highness,

ness, whom we most humbly beseech your grace to credit; and that the said Mr. Dodds may by your grace's royal authority, for the discharge of our conscience, be qualified or dispensed with for the premises; and we shall be right glad to accomplish your grace's pleasure accordingly. Thus almighty God conserve your highness in long most prosperous health, and honour. Yeven in our chapter house at Exeter the 5th. of January, M.D.LIX.

Subscriptio: *Your highness's most bounden orators, the president and chapter there.*

Superscriptio: *To our most dread liege lady, the queen's most excellent majesty.*

Litterae scriptae magistro Carew, decano sacelli regii, de eadem electione.

"Right worshipful Mr. dean. After our hearty commendations, ye shall be advertised, that the third of this present January we received the queen's majesty's most gracious letters, in commendation of Mr. Gregory Dodds, a batchelor of divinity, for his perferment to the deanry of this cathedral church, appertaining, as ye know, to our election, and now being vacant by the death of our late dean Mr. Dr. Raynolds; her grace requireth us to have the said Mr. Dodds in consideration at our next election. Whereupon (as soon as we could conveniently assemble ourselves together in the chapter house, to which place some of our brethren could not well come, by reason of their sickness) we have decreed the day of election to be the 20th. of this January, "cum prorogatione dierum extunc sequentium, et locorum, si oporteat," and have caused schedules to be affixed in the stalls of the canons for their appearance that time. Notwithstanding, for as much as by search of the registers of this church it appeareth unto us, that before we proceed to any election, we ought to have the licence of the bishop for the time being, who is the patron and founder of that dignity, and so hath been always observed; and by the foundation also we cannot elect any other, than such a one, that is a canon, and prebendary of this cathedral church, as ye shall perceive by the words of the said foundation, the true copy whereof, as much as maketh for that purpose, we have sent to you herein inclosed; we have thought good for the discharge of our conscience, and to the end the said foundation and other order may be observed, as well for our indemnity, as that no error may hereafter be found in the process of our election, to signify these premises to the queen's highness, to the intent we may obtain her highness's royal authority or dispensation in the premises, both touching the said licence, and qualification of the said Mr. Dodds, being no canon of this church, as far as we know. And those our letters written to her grace we have sent herewith to you unsealed, that ye discoursing the same with the said Mr. Dodds, may (if ye shall think it good) deliver them unto her highness, and

to declare the premises at large, as occasion may be to you administred; and to travel in our behalf for the obtaining of the premises accordingly. Somethinketh, that this see of Exeter now being vacant, my lord of Canterbury's grace, or the dean and chapter of Cant. (in whom of them the jurisdiction here now is, "vacante sede," we do not certainly know) may both grant this said licence, and dispense with the said foundation; which thing, for as much as it appertaineth to the bishop by special order, we doubt much of; but if any of them may (the truth whereof ye shall learn amongst the learned in the arches) then ye shall not need to molest the queen's highness with our rude letters, being able to bring these things to pass otherwise. But all these things we commit to your discreet wisdom, beseeching you to travel herein accordingly for our indemnity, as we before have written, and to send every thing to us with speed, with your letters, by this trusty messenger, whom we specially have sent to you for that purpose, to the end we may accomplish the queen's majesty's said request, according to our bounden duties; and till the return of the said messenger, we intend not to proceed to any election, but to prorogue the day, if he come not before. Thus praying you to commend us most heartily to the said Mr. Dodds, we commit you both to the grace of almighty God. At our chapter house in Exeter quinto Januarii, M.D.LIX.

Subscriptio: *By your loving brethren, the president and chapter of the cathedral church of Exeter.*

Superscriptio: *To the right worshipful Mr. George Carew, dean of the queen's highness's most honourable chapel."*

Tenores vero foundationis decanatus praedicti, de qua in dictis literis fit mentio, sequuntur, quatenus tangit negotium praedict.

Confirmatio Willelmi Brewar de electione Serlonis, primi decani Exoniae; exscripta ex quodam libro antiquo chartarum in archivis ecclesiae Exon. reposito.

Willelmus, Dei gratia Exon. episcopus, dilectis in Christo filiis, capitulo Exon. salutem. Electionem vestram de viro venerabili magistro S. archidiacono Exon. factam, quem vobis primum decanum Exon. ecclesiae unanimi assensu canonice elegistis, auctoritate episcopali confirmamus; concedentes vobis in posterum, pro nobis et successoribus nostris, episcopis Exon. in perpetuum, liberam potestatem eligendi decanum in ecclesia Exon. de persona idonea, canonico (videlicet) Exon. ecclesiae, sed a nobis vel successoribus nostris, episcopis Exon. rite et canonice confirmand. unde vobis mandamus, quatenus eidem de caetero obedientiam, et reverentiam, tanquam decano vestro, exhibeatis, etc.

Ex quadam charta originali sigillo capituli sigillata.

Omnibus

Omnibus Christi fidelibus praesens scriptum inspecturis, capitulum beati Petri Exon. aeternam in Domino salutem. Noverit universitas vestra, quod cum Exon. ecclesia usque ad tempora nostra decano caruerit; nos ad honorem Dei, et cultum in ecclesia Christi ampliand. ad imitationem aliarum cathedralium ecclesiarum ordinarum, de consensu venerabilis patris nostri W. Brewar, Exon. episcopi, concessimus et providimus, ut in Exon. ecclesia temporibus nostris, et in perpetuum, canonice a capitulo et de capitulo unus de canonicis eligatur decanus, et solenniter instituatur; decani autem officium, etc. Acta sunt haec anno ab incarnatione Domini M.ccc.xxxv. die sancti Andree apostoli.

Litterae praesidis et capit. Exon. Gregorio Dodds, decano a regina nominato.

Right worshipful. After our hearty commendation. Whereas the queen's majesty hath commended you unto us by her gracious letters, requesting us, that at our next election of the dean of this cathedral church (the deanry now being vacant) we should have you in special consideration for your preferment thereunto, for the good learning, discretion, and

good life, which her highness understandeth to be in you: as we be most willing to accomplish her grace's request, according to our bounden duties; so there are divers causes, and weighty respects, touching the foundation of that dignity, and the qualities of him, that is by us to be elected, which we have more at large signified to our loving brother Mr. George Carew, dean of her grace's honourable chapel, who, we doubt not, will declare the same to you; whereof this shall be to pray you with good desire to travel with him therein, so as both we may be discharged in conscience, in not breaking the ancient orders of this church, and that no error may be found in our proceedings, which might turn you to any damage. Thus most heartily fare you well. Yeven in our chapter house at Exeter the 5th. of January, M.D.LIX.

Subscriptio: *Your loving friends, the president and chapter of the cathedral church of Exeter.*

Superscriptio: *To the right worshipful Mr. Gregory Dodds, one of the queen's majesty's chaplains.*

Papae Rom.
PII IV. I.

Archiepisc. Cant.
MATTH. PARKER I.

Anno Christi
1559.

Reg. Angliae.
ELIZAB. 2.

The queen's letter to the lord treasurer Pawlet for regulating foreign churches in England. Ex hist. archiep. Laud p. 166.

RIGHT trusty, and right well beloved cousin, we greet you well. Whereas in the time of our brother, and sister also, the church of the Augustine Fryers was appointed to the use of all the strangers repairing to the city of London, for to have therein divine service; considering, that by an universal order all the rest of the churches have the divine service in the English tongue, for the better edifying of the people, which the strangers born understand not; our pleasure is, that you shall assign and deliver the said church, and all things thereto belonging, to the reverend father in

God, the bishop of London, to be appointed to such curates and ministers, as he shall think good, to serve from time to time in the same churches, both for daily divine service, and for administration of the sacraments, and preaching of the gospel; so as no rite nor use be therein observ'd contrary, or derogatory to our laws. And these our letters shall be your sufficient warrant and discharge in that behalf. Given under our signet at our palace at Westminster the day of February, the second year of our reign.

Concilium provinciale totius cleri Scotici utriusque provinciae S. Andree et Glasguen. habitum Edinburgi A. D. M.D.LIX. Ex autographo in colleg. Scot. Paris. mem. Scot. tom. I. fol. 129.

Litterae a Johannis, archiepiscopi S. Andree, totius regni primatis, quibus dictum concilium indicit, et Jacobum, archiep. Glasguensem ad illud invitat.

JOHANNES, miseratione divina sancti Andree archiepiscopus, totius regni Scotiae primas, apostolicae sedis legatus natus, ac per universum regnum praedictum ejusdem sedis de latere legatus, reverendissimo in Christo patri, ac fratri nostro, domino Jacobo, Dei et apostolicae sedis gratia archiepiscopo Glasguensi,

felix susceptae curae moderamen, et mutuam in Domino charitatem pro salute.

Inter graves sollicitudines, et multiplices animi curas, quibus pro pastoralis officii, ac metropoliticae et provincialis nostrae debito premimur; verum etiam ex injuncto apostolicae legationis munere, quo, licet immeriti, ex apostolicae sedis clementia in hoc regno fungimur, ea peculiaris et praecipua est, ut defensionem, et indemnitati, ac animarum salutem, non solum dioecesanorum nostrorum, nobis immediate subditorum, sed et aliorum nobis tam jure

^a Johannis Hamilton.

metropolitico, et regni primatiali, quam etiam jure legationis apostolicae de latere nobis commissae subditorum, quorum auctor aeternus de sua benignitate et clementia, et apostolicae sedis providentia curam, superioritatem, dominium, visitationem, correctionem, jurisdictionem, reformationem, potestatem, et praeceminentiam, habere voluit, semper et assidue invigilemus, et remediis et curis omnibus ita provideamus, ne sancta catholica Scotiana ecclesia, illiusve praelati, ministri, et subditi, etiam cujusvis exemptionis titulo, qualitercunque insigniti, hoc tempore procelloso, Lutheranis, Calvinianis, et aliis quamplurimis nefandis haeresibus undique infra regnum istud pullulantibus, per haereticos et haeresiarchas, ac haereticae pravitatis Lutheranarum, et Calvinianarum, ac nefandarum aliarum haeresium in hoc regno fautores, auctores, assistentes, ac insectatores indies, et continuo omni eorum cura, studio, et diligentia libertatem ipsam ecclesiasticam, illiusque statum, ac jura, et privilegia ipsius sanctae Scoticae ecclesiae simpliciter, et in totum enervare, tollere, et subvertere nitentes, in spiritualibus aut temporalibus, aliquo modo damnum seu detrimentum aliquod patiatur, seu pati valeat, sed in unitate fidei christianae, statu, libertate, et privilegiis suis pristinis, sublatis quibusvis erroribus et obstaculis, in contrarium agentibus, semper et secure, ac pacifice, ut decet, remaneat. Et ut haec eo facilius, citius, et melius, et felicius succedant, quo paternitas vestra reverendissima, et alii hujus regni praelati, ac cleri famosior pars, in unum nobiscum congregati, prout ex sanctorum patrum decretis et ordinationibus, tam pie tamque salubriter editis, per singulas provincias episcoporum concilia generalia, tum ad dominici agri praecipue culturam, quae vepres, spinas, et tribulos haeresium, errorum, et schismatum extirpat, mores, et excessus corrigit, deformata reformat, et vineam Domini ad frugem uberrimae fertilitatis adducit; tum ad querelarum et controversiarum, quae inter diversos ecclesiae ordines nasci affolent, dissolutionem, quorum neglectus praemissa disseminat atque fovet, quotannis, saepiusque et frequenter celebrari usum est ea, quae fieri mandantur, vestra et eorum opera, cura, consilio, unanimique concursu, pro libertatis ecclesiae hujusce regni defensione, et maintenance, personaliter compareant, pro conventionae et synodo provinciali generali inter nos, paternitatem vestram, et eos ad praemissorum effectum habenda, ad laudem, gloriam, et honorem summae et individuae trinitatis, Patris, viz. et Filii, et Spiritus Sancti, beataeque intermeratae virginis Mariae, Dei et Domini nostri Jesu Christi genitricis, et omnium caelestis curiae sanctorum, ac ad hujus universalis Scoticae ecclesiae immensum et inaeestimabile bonum, auctoritate nostra metropolitana, et regni primatiali (cum de jure concilium ipsum provinciale generale, et in hoc regno indicere et convocare, spectat et incumbit nobis, ut prae-

mittitur) ac etiam instigante pia et benigna requisitione illustrissimae supremae dominae nostrae, reginae regentis, ad effectum praemissorum videntis, quam maximos nefarios tumultus in populo decedente, et prorsus aberrante a vera fide, idem concilium provinciale generale die primo mensis Martii proxime futuri, intra locum fratrum Dominicanorum Edinburgi celebrandum, tenendum, et inchoandum, cum continuatione et prorogatione dierum subsequentium, usque ad ejusdem conclusionem et dissolutionem, in quo, disponente altissimo, praesidebimus, indicimus, convocamus, denunciamus, statuimusque, et praefigimus. Quare vestram reverendissimam paternitatem in Domino obnixè requirimus et hortamur, quatenus una nobiscum, et aliis reverendis patribus, et fratribus nostris dominis hujus regni coepiscopis, ac clero eadem vestra paternitas reverendissima compareat personaliter dictis die et loco, cum continuatione dierum subsequentium, usque ad finalem conclusionem dicti concilii provincialis generalis, hora octava de mane, ad pertractandum, communicandum, consulendum, determinandum, et definiendum ea quae, pro libertatis ecclesiasticae, totius Scoticae ecclesiae et ejusdem privilegiorum, et immunitate, conservatione, manutentione, et defensione, pertractanda, communicanda, consulenda, determinanda, et definienda fuerint. Insuper citari, requiri, et moneri vestra ordinaria auctoritate curetis reverendos et venerabiles patres, dominos episcopos vestros suffraganeos, ac abbates, priores, commendatarios, decanos, praepositos, et alios viros ecclesiasticos, et circumspectos vestros subditos, et ex famosioribus, consultioribus, et prudentioribus de capitulis et clero vestrarum ecclesiae, civitatis, dioecesis, et provinciae Glasguensis, etiam religiosi, cujusvis fuerint ordinis, et, ut praemittitur, qualitercunque exemptos, prout paternitati vestrae reverendissimae visum fuerit expedire; ad vobiscum dictis die et loco ad effectum praemissorum comparendum, ibidemque nobiscum una cum paternitate vestra reverendissima, et aliis regni praelatis, et clero usque ad dissolutionem, terminationem, conclusionem, vel continuationem dicti concilii provincialis generalis inclusive permansuros, obnixè, ut praemittitur, requirimus, et hortamur in Domino. Praeterea, ex pia requisitione et benigna illustrissimae, et supremae dominae nostrae, reginae regentis, processiones publicas, uti moris est, omnibus diebus dominicis, quartis et sextis feriis, infra vestram dioecesim in omnibus collegiatis, et parochialibus ecclesiis, et aliis quibuscunque per vicarios, curatos, et capellanos, orandi Deum pro felici successu hujusmodi nostri concilii generalis provincialis, ac pace, et tranquillitate reipublicae hujus regni, et sublatione errorum et haeresium fieri procuretis, et demandetis. Datum Edinburgi sub nostra subscriptione manuali, et signeto nostro, ultimo die mensis Januarii, anno Domini millesimo quingentesimo quinquagesimo octavo, ^b consecratio-

^b Hic Johannes Hamilton consecrabatur episcopus Dunkeldensis. A. D. M.D.XLIV. et translatus est in archiepiscopatum S. Andreae A. D. M.D.XLVII.

nis nostrae xiii. et translationis nostrae ad regni primatiam sedem anno decimo.

V. R. P.

Humillimus confrater,

JOHANNES, archiepiscopus S. Andreae.

In dorso inscripta: *Reverendissimo in Christo patri domino Jacobo, Dei gratia archiepiscopo Glasguensi, confratri nostro charissimo.*

Mandatum Jacobi archiepiscopi Glasguen. pro convocatione abbatum, priorum, etc. suae dioecesis ad dictum concil. provinciale Edinburg. A. D. M.D.LIX. Ex autographo in collegio Scotor. Paris. memoir. Glasg. fol. 120.

ⁱ Jacobus, miseratione divina archiepiscopus Glasguensis, decano ⁱ nostro christianitatis de Lanrick, seu cuicunque alteri capellano, curato, vel non curato, infra civitatem, dioecesim, et provinciam nostram Glasguensem constituto, et super executione praesentium debite requisito, salutem, cum benedictione divina. Vobis et vestrum cuilibet in virtute sanctae obedientiae, et sub poena suspensionis a divinis stricte praecipiendo mandamus, quatenus moneatis legitime omnes et singulos abbates, priores, commendatarios, usufructuarios, ministros, praepotentes, praepositos, et insigniores, ac probiores ecclesiarum parochialium rectores, et vicarios perpetuos, per vestrum decanatum constitutos, et praesertim magistrum Robertum de Bailze, rectorem de Lamington; magistrum Nycholaum Craford, rectorem de Hartfyde; Thomam Levinston, rectorem de Cultrie; magistrum Johannem Stensone, rectorem de Thankerton; magistrum Thomam Somervell, rectorem de Quenquhem; et dominum Thomam Wedy, rectorem de Liberton; quod compareant personaliter coram nobis, et reliquis hujus synodi dominis ordinariis, praelatis, et de clero in loco fratrum Dominicanorum Edinburgensi die sexto mensis Aprilis proxime futuri, ad ea omnia et singula, quae ad eos attinent tractanda, agenda, decernenda, et concludenda fuerint, assistendum et consentiendum; et generatim omnia alia faciendum, quae in praemissis, et circa ea necessaria fuerint, seu quomodolibet opportuna, sub poena excommunicationis majoris sententiae latae in his scriptis: et praesentes debite executas earundem latori reddatis. Datum sub nostro signeto apud Edinburgum die 18. mensis Martii, anno Domini millesimo quingentesi-

mo quinquagesimo octavo, et nostrae consecrationis anno septimo.

Per dictum reverendissimum dominum archiepiscopum Glasguensem.

WILELMUS FOGO, secretarius de mandato.

Sequuntur subscriptiones praedictorum decani, rectorum, etc. quibus testantur se mandatum archiepiscopi praedictum debite insinuassee, et executioni mandasse.

Mandatum Malcolmi, vicarii generalis ecclesiae Candidae Casae, infra provinciam Glasguensem, quo convocat abbates, priores, etc. ejusd. dioec. Cand. Casae ad dictum conc. provinc. A. D. M.D.LIX. Ibid. fol. 121.

Malcolmus, permissione divina commendatarius perpetuus ecclesiae cathedralis Candidae Casae, et sedis episcopalis ejusdem jam vacantis vicarius generalis, venerabili viro domino Michaeli Hawthorn, nostro commissario, et decano de Finnes, et Renis, seu cuicunque alteri capellano, curato, vel non curato, infra nostram jurisdictionem divina celebranti, et super executione praesentium debite requisito, salutem. Quia reverendus in Christo pater, et dominus Jacobus, miseratione divina archiepiscopus Glasguensis, literas suas monitoriales ad universos et singulos ordinarios suos suffraganeos ad comparendum coram reverendissimo in Christo patre et domino, domino Johanne, eadem miseratione divina Sancti Andreae archiepiscopo, totius regni Scotiae primate, legato nato, et a Pasleto abbate, in coenobio fratrum praedictorum Edinburgensi die sexto mensis Aprilis proximo futuri, ad omnia et singula, quae ad eos attinent, tractanda, agenda, definienda, et concludenda, in hoc instanti concilio provinciali jam inchoato, et quotidie conveniente et sedente in dicto coenobio, sub poena excommunicationis emisit; vobis igitur, et vestrum cuilibet praecipimus, et mandamus, quatenus moneatis legitime primo, secundo, tertio, et peremptorie omnes et singulos abbates, priores, commendatarios, usufructuarios, ministros, praepotentes, praepositos, et probiores viros beneficiatos praefatae nostrae dioecesis Candidae Casae, et praecipue venerabiles in Christo patres Jacobum, permissione divina Vallislucis abbatem, Johannem, eadem permissione commendatarium Sedis Animarum, venerabiles viros magistrum Patricium Vaus, rectorem de Wigton; dominos Georgium Clapperton, et Davidem Paterson, rectores de Kirkkynie; magistrum Wilelmum Blayr, archidiaconum Candidae Casae; necnon dominum Andream Arnot, dicti

ⁱ Archiepiscopus hic Glasguensis Jacobus Bethune, ex antiqua familia Balfour in comitatu Fife, in Scotia oriundus, fuit nepos cardinalis Bethune, et abnepos Jacobi Bethune, archiepiscoporum sancti Andreae, Romae A. D. M.D.LII. in episcopum consecratus, octennio post in exilium mittebatur bonis omnibus exutus. Legati vicem pro regina Maria, et filio ejus Jacobo per quadraginta annos in Gallia obiit, vitaeque functus A. D. M.DC.III. omnia ecclesiae Scoticae monumenta, in museo suo extantia, collegio Scotico Parisiensi legavit.

ⁱ Mandatum episcoporum pro convocatione directum fuit ut plurimum decanis ruralibus; quorum novem erant in dioecesi Glasguensi, octo in S. Andreae, et in aliis similiter.

archidiaconatus usufructuarium; ad comparandum personaliter in praedicto concilio provinciali, in praedicto coenobio fratrum praedicatorum Edinburgensi, praefato die sexto Aprilis proxime et immediate sequentis, ad sedendum in eodem concilio, assistendum, consulendum, tractandum, et approbandum ea, quae ad honorem divinum, catholicae fidei exaltationem, et reipublicae, ecclesiaeque utilitatem tractanda, agenda, et concludenda fuerint; et generaliter omnia alia et singula, quae ad partes suas in praemissis attinent, faciendum, decernendum, gerendum, et exercendum hac vice, sub poena excommunicationis, quam contrarium facientes incurrere volumus ipso facto: et praesentes debite executae reddantur latori. Datum ex Irvine sub nostris signeto, et subscriptione manuali 24. Martii, anno Domini M.D.LVIII.

MALCOLMUS, Candidae Casae vicarius generalis.

Sequuntur subscriptiones curatorum, et aliorum de executione facta ejusdem supradicti mandati abbatibus et aliis infra dioecesim Candidae Casae.

Remonstrance to the prelates and other churchmen assembled in the provincial council holden at Edinburg in March and April, A. D. M.D.LIX. craving redress of several grievances complained of in the ecclesiastical administration of Scotland. Taken from a copy written in those times, and now extant in colleg. Scotor. Paris. memoires Glasg^e.

I. In the first rememberand, that our sovraane lord of gud memorie that last deceist, in his lait actis of parliament for the common wele of this realme, thocht necessair to mak ane publict exhortatioun unto my lordis the prelati, and rest of the spirituale estate for reforming of ther lyvis, and for avoyding of the opin sclander, that is gevin to the haill estates throucht the said spirituale mens ungodly and dissolut lyves. And siclyk remembring in divers of the lait provinciale counsailes haldin within this realm, that poynt has bene treitter of, and findrie statutis synodale maid therupon, of the quhilks nevertheless thar hes folowit nan or litill frutt as yitt, bot rathare the said estate is deteriorate, nor emends be ony sic persuasion, as hes bene hidertills usit. And sin the said estate is mirror and lantern to the rest, it is maist expedient therefore, that thair presentlie condescend to seik reformation of thir lyvis, and for executiing deuly of thair offices, evry ane of yem effeiring to thir awin vocation and cure committit unto yaim to do, and naymlie yat oppin and manifest sins, and notor offensis be forborn and abstenit fra in tyme to cum, etc.

II. Item, Yat yai provid for prechings and declarings of Goddis word, sincerely and treu-

ly to be made in every peroch kirk of yis realm upon all Sondays, and uyeris holie dayis, at the lest on Zule, Pasche, Witsondie, and every thrid, or feird Sunday; and quhair yat the peple ar maist ungodlie and ignorant of yar deuty to God and man, yat in yai placis preachings of Goddis word and gud manners may be sa aft maid, yat be Goddis grace yai may be brocht fra yar ungodlie leving to the dew obedience of God and man, and sua yar in all placis, quhair maist neid is, oftest and maist ernist preching to be maid and hed, and effeiring to the quantitie of the perochin, etc.

III. Item, Yat all prechers of the word of God, or yai be admittit to preach the samen publickly to the peple, yat yai be first examinitt deuly, gif yair doctrin, and profession be conform to Goddis word, and christen fath, and sicklyke if yai be of gud manners, and of fitt knowlege, and condition, as yai may be hable to preach the word of God decently to the peple.

IV. Item, Yat yar be na curatis, nor vicares of peroch kirks maid in tymes to cum, bot sic as ar sufficiantly qualifiet to minister the sacramentis of halie kirk in sic form and order, as after folowes; and yat yai can distinctly and plainly reid the Catechisme, and uyeris directions, yat sal be directit unto yaim be yar ordinairs, unto the peple, sua yat every man and woman hering, and seing yaim execute the premissis sa decently, may the rather convert yaimselfes fra yer inordinate leving, and yarby baith know perfitlie how yai suld liefe, and in deid and word use yaimselfis accordingly, etc.

V. Item, For sameikle as yar is nathing, yat can moves men mair to worship God, nor to know the effect, cause, and strenth of the sacramentis of halie kirk, nor nathing, that can move men to dishonor the saids sacramentis mair, then the ignorance and misknowledge yarof; therefore seing yat all christin man and woman, or yai be admittit to ye using and resaving of the saids sacramentis, suld know ye vigor and strenth of ye samen, for quhat causes, the samen was institute be God almighting, quhow profitable and necessar yai ar for every christin man and woman, yat deuly and reverendlie ar participants yarof; therefore yat yar be an godlie and fruitfull declaration set forth in Inglis tounge, to be first shewin to the peple at all times, quhen the sacrament of the bleffit body and blud of Jesus Christ is exhibit and distribut, and sicklyke, when baptisim and marriage are solemnizit, in face of halie kirk; and yat it be declarit to yaim, yat assist at the sacramentis, quhat is the effect yarof, and yat it be spirit at yam be ye prist ministrant, gif yai be reddy to resave the samen; with sick utheris interrogatories, as ar necessar for instructiing of the poynts of mens salvation, and requires to be answerit unto be all yai, that wald be participant, etc. And yir things to be don

* This remonstrance seems to be either from the lords of session, whereof one half, and the president were ecclesiastics, or from some other men of distinction, zealous for preserving the established church of Scotland.

before ye using of ye ceremony of haly kirk, etc.

VI. Item, Yat ye common prayers, with litanies in our vulgar tounge be said in evry perrich kirk upon Sondays, and uther haly dayis efter the devin service of the mess, and yat ye evening prayers be said efternein in likwyse.

VII. Item, Because yat ye corps presentes, kow, and finest claith, and the silver commonlie callit the kirk ritchts, and Pasch offrands, quhilk is takin at Pasch fra men and women for distribution of ye sacraments of ye bleffit body and blud of Jesus Christ, were at ye beginning but as offrands and gifts, at the discretion and benevolence of the givar only; and now be distance of tym, ye kirkmen usis to compell men to ye paying yarof be authority and jurisdiction, sua that yai will not only fulminat yar sentence of cursing, but als stop and debar men and women to cum to ye reddi using of ye sacraments of haly kirk, quhile yai be satisfiet yarof, with all rigor; quhilk thing has na ground of ye law of God, nor halie kirk, and als is veray sclandrous, and givis occasion to the pur to murmur gretymly againes ye state ecclesiastick for the doing of ye premissis; and therefore it is thocht expedient yat ane reformation be maid of ye premissis, and that sick things be na mair usit in tymes to cum within this realm, at ye lest yat na man be compellit be authority of haly kirk to pay ye premissis; but yat it shall only remane in the free will of the giver to gif and offir sic things be way of almons, and for upholding of ye priests and ministers of the halie kirk, as his conscience and charitie moves him to: and quhair ye curatis and ministers forsaids, hes not enouch of yar sustentation by the saids kirk ritchts, that ye ordinares every man within his awin diocesie take order, that the persons and uplifters of ye uther deutys pertaining to the kirk, contributs to yar sustentation effeirindlie, etc.

VIII. Item, Because ye leigis of yis realme ar haveli hurt be ye lang process of ye consistorial judgement, as hes bene at mair length declarit and shewin unto my lordis of ye spiritualitie; and yat pur men havan just cause, oft tymes ar constreint to fall fra yar rightuous action through lengthning of the saids process and exorbitant expences, yat yai ar drawin unto as wele in ye first instant, as be appellation fra place to place, fra juge to juge, and last of all to ye court of Rome; albeit ye matter were never sa small, and albeit men obtien sentences never sa mony be ye ordiner juges of yis realme, yitt all in vain, and na execution fall folow therupon, quhill ye appellation be discussit in Rome, etc. therefore it is necessar, yat provision be maid for shortning of the process consistorial for releiving of partyes fra exorbitant expences, and yat it be considerit, quhat matters shall pass to Rome be appellation, of quhat avale, worth, and quantity yai suld be of, and yat ye appellation unto Rome suld

not suspend the execution of sentences gevin heir within yis realme.

IX. Item, It is havelie murmurit and complaint unto the quenis grace be ye sewars of Kirkland, yat yai ar compellit to pass to Rome to pley ye reduction of yar infeftments, etc.

X. Item, Yat ye actis of parliament halden at Edinbrugh ye 26th day of June, M.cccc.xciv. be our sovirane lord, king James ye fourd of gud memorie, anent ye priveleges grantit be ye paps to ye kirk of Scotland, and benefices yat passis to ye court of Rome, that hurts the priveleges of the crown, or the common wele of this realme be put to dew execution, and it be decernit be ye lordis of ye session, be juges competent to ye braikers yarof, notwithstanding ony exemption or immunitie, or privelege spirituale or temporale.

XI. Item, Yat na manner of person within yis realme pretend to usurp sic hardiment, as to dishonor or speik irreverently of ye sacrament of ye bliffit body and blude of our saviour Jesus Christ; bot that the samin be haldin in sic reverence, honour, and worship, as effeirs christin men to do, and is commandit be the law of God and haly kirk; and that nane dishonour ye divine service of the mess, nor speik injurioullie nor irreverentlie yarof,

XII. Item, Yat na man pretend to use ye sacraments and ceremonies of marriage, baptism, and bleffit body and blud forsaids, nor suffer ye samin to be ministrat, bot in sic manner, as is aforesaids; and be sic persons, as yat are admittit deulie, and ordaint to ye administration tharof.

XIII. Item, Yat na manner of persons be sabald, as to burn, spulie, or destroy kirks, chapels, or religious places and ornaments yarof, nor attempt ony thing be way of deid, to ye hurt and injuring yarof, or for deforming or innovating the louable ceremonies and rites parof usit in haly kirk; bot yat yai be usit as afore ay, and quhile forder order be takin be ye prince, and ministers of haly kirk, having power, and the samen dewlie insinuet to yam, etc.

Acta concilii provincialis totius cleri Scotici utriusque provinciae habiti Edinburgi A. D. M.D.LIX. Ex cod. MS. bibl. regiae Paris. n. 3887. cod. Baluzian. num. 38.

Concilium provinciale cleri totius regni Scotiae indictum et convocatum per reverendissimum in Christo patrem et dominum, Johannem, S. Andreae archiepiscopum, ejusdem regni primatem, legatum natum, etc. assistente et consentiente reverendissimo in Christo patre, Jacobo, Glasguensi archiepiscopo; convocatis etiam et praesentibus utriusque archiepiscopi reverendis dominis suffraganeis episcopis, vicariis generalibus, abbatibus, prioribus, commendatariis, decanis, praepositis, sacrarum literarum professoribus, rectoribus, ac aliis literatis viris ecclesiasticis, ecclesiam Scoticanam repraesentantibus; coeptum est Edinburgi in religiosa domu Dominicanorum primo die mensis Martii

tii anno juxta computationem ecclesiae Scoticae ^f M.D.LVIII. et finitum ibidem 10. die mensis Aprilis, anno Domini M.D.LIX. et hoc ad dictae ecclesiae Scoticae disciplinam recte reformandam, et dominici gregis salutem promovendam; propterea quod videremus pastorale nostrum munus in extrema incidisse tempora, in quibus crudeles lupi dispersas Christi oves modis omnibus conantur devorare, legitimos sacramentorum usus invertere, ecclesiae ceremonias a Christo, ejusque discipulis et successoribus bene institutas, prorsus contemnere, omnia demum Dei et sanctorum templa diruere: in quo quidem concilio antiquas majorum consuetudines insecuti sumus, quas apostoli instituerunt, apostolici viri retinuerunt, atque nobis sanctissime veluti per manus reliquerunt; ut videlicet, quoties de fide christiana quaestiones occurrerent, scandala pullularent, aut hominum mores emendatione indigerent, toties synodum indicerent, in qua salutaria remedia adhiberent occurrentibus suo tempore periculis. Pari modo, Deo disponente, in hac praesenti synodo consultavimus, quonam modo possimus oves nobis commissas in christiana professione retinere, salutarem eis cibum providere, curantes humeris nostris impositas ad ovile dominicum reducere, et ecclesias in sincera pace regere, donec generale concilium his tantis malis aptiora provideat remedia. Nostrae consultationi accessit auxilium, opera, et beneficium nobilissimae et christianissimae principis Mariae, hujus regni Scotiae reginae dotariae, ac regentis; cujus piam voluntatem experti sumus non solum in defendendo hoc nostro regno a ferocibus exterorum incurfibus, sed etiam in administranda justitia per singulas hujus regni provincias, necnon in vera religione praeservanda, retinenda, et augenda; sic nos Dei gratia et favore dictae principis collegimus, ac congeessimus ea in constitutione, quae maxime videbantur pro ratione horum temporum necessaria et commoda, ad Dei honorem et reverentiam, ecclesiasticae disciplinae emendationem, atque ad christiani populi salutem; quae omnia communi consensu decrevimus publicanda, ut a cunctis hujus regni incolis observentur. Quapropter universos ecclesiae Scoticae ordines oramus, atque in visceribus Jesu Christi obtestamur, ut praesentis concilii decreta diligenter legant, lecta observent, atque sibiipsis persuadeant, nos gratia Dei et auxilio dictae reginae curaturos, ea exactae executioni demandanda. Praeterea cunctis ecclesiasticis viris praecipimus et mandamus, ut oves Christi illis commissas diligenter curent, frequenter visitent, et recte exerceant, conformiter traditioni et consuetudini ecclesiae catholicae, rejectis vanis novitatibus, et suspectis opinionibus; sic enim tam nobisipsis, quam ovibus nostrae curae commissis, acquiramus aeternam beatitudinem, quam nobis tribuat, qui sine fine vivit et regnat. Amen.

Primum actum: approbatio conciliorum apud Linlythquho et Edinburgum antea tentorum.

Praesens synodus, diligenti consilio et maturo tractatu praehabitis, decretis quoque constitutionibus, et ordinationibus conciliorum provincialium in oppido de Linlythquho in mense Augusto, et Edinburgi in mense Novembri, A.D. millesimo quingentesimo quadragesimo nono; Edinburgi etiam in annis M.D.LI. et M.D.LII. respective tentorum et celebratorum inhaerens, eadem decreta, constitutiones et statuta ratificat, approbat, et confirmat, quatenus in praesenti concilio immutata, declarata, et innovata non sunt, ipsaque inviolabiliter observanda decrevit, eisdem quoque lectis, visis, et discussis praesentis concilii auctoritate robur adjiciens.

Item sequuntur statuta edita in concilio provinciali celebrato in mensibus Martii et Aprilis, annis Domini, M.D.LVIII. et M.D.LIX. respective.

I. Haec praesens synodus prioris apud Linlythquho inchoati, Edinburgi finiti M.D.XLIX. constitutionibus adhaerens, ratificat et acceptat decretum concilii Basiliensis contra concubinales promulgatum, et in praedicto priori concilio per ecclesiasticos hujus regni receptum, in omnibus suis capitibus observandum, et executioni demandandum, tam in archiepiscopos, episcoposque, et eorum suffraganeos, quam in alios praelatos, ac inferiores clericos hujus regni per metropolitanos in episcopos suffraganeos, et episcopos in alios clericos inferiores respective; et ne reverendissimus Johannes, Sancti Andreae archiepiscopus, hujus regni primas, legatus natus, etc. necnon reverendissimus Jacobus, Glasguensis archiepiscopus, videantur reverendis suis suffraganeis, et aliis inferioribus ecclesiae onera gravia alligare, et suis forte privilegiis et exemptionibus sibimetipsis liberius indulgere, sua sponte in bonum aliorum exemplum submiserunt se consilio, requisitioni, et admonitioni faciendae per reverendos patres episcopum Dunkeldensem, postulatos Candidae Casae, et Rossensem; necnon probos et doctos viros magistrum Johannem St. Clar, decanum de Restalrig; fratrem Johannem Gryfoun, provincialem ordinis fratrum praedicatorum hujus regni, et facultatis theologiae universitatis S. Andreae, civitatis decanum, Johannem Wynrame, sacrae theologiae professorem, monasterii ecclesiae metropolitanae Sancti Andreae suppriorem; ut ipsi inquirent de observatione praesentis statuti per eosdem tam per se, quam de correctione exercenda in inferiores pro observatione ejusdem. Et ut commodius dicti inquisitores suo fungantur munere, convenient Edinburgi bis singulis annis, primo viz. Maii, et 15. Januarii; ubi diligenti inquisitione praehabita per dictos sex, quinque, aut saltem quatuor illorum, si quid emendatione dignum deprehenderint, primum praedictos reverendissimos archiepiscopos

^f Hoc seculo Scoti annum exordiebantur adhuc a 25. Martii, verum initio seculi sequentis sancitum est auctoritate supremorum regni comitorum initium anni deinceps a calendis Januar. computandum.

christiano more et charitative admoneant; deinde provinciali concilio, si necesse fuerit, referant; postremo sanctissimo nostro papae absque ulla mora aut conclusione, prout coram summo iudice respondere voluerint, intiment et notificent; et si quemquam ex dictis sex extra regnum fore, aut vita defungi contigerit, licebit caeteris alium in locum absentis vel demortui surrogare. Praeterea concilium hoc decrevit, ut tam archiepiscopi quam episcopi curent praedictum statutum concilii Basiliensis de incontinentia observandum in omnes et singulos abbates, priores, commendatarios, et alios quoscunque inferiores clericos exemptos suarum dioeceseon respective aliter absque praepudio sui ordinis.

II. Circa proles ecclesiasticorum.

Inhibet praeterea haec synodus, ne qui praelati, aut alii ecclesiastici inferiores suas proles ex concubinato susceptas, in suis familiis, aut consortiis alant, aut teneant; et ne ultra quadri-
dum, et id non palam, singulis trimestribus in eorum familia morentur, sub poenis ducentarum librarum, prima vice per archiepiscopum in praemissis culpabilem; et, centum librarum per episcopum, aut alium praelatum, sub poena arbitraria in alios inferiores clericos, arbitrio ordinarii iungenda, levanda, et in pios usus applicanda; et tertio quadruplicanda.

III. De non promovendis filiis presbyterorum in ecclesiis paternis.

Vetat quoque, ne ullus archiepiscopus, aut alius praelatus suas proles directe, aut indirecte ad beneficia quaecunque ecclesiastica in suis ecclesiis promoveat, aut promoveri patiat; alioqui promotio vel provisio desuper concessa, ipso facto nulla sit et invalida, sic quod licitum sit superiori, vel cui devolvitur potestas conferendi tale beneficium, libere conferre clerico idoneo, cui voluerint; non obstante praedicta collatione, vel provisione antea contra juris dispositionem, et praesentis statuti tenorem facta. Et ut praesens statutum debitum sortiatur effectum, concilio visum est expedire reginam obnixè rogandam, quatenus literas supplicatorias ad sanctissimum dominum nostrum papam mittat, eidem sanctitati supplicando, ut nullas dispensationes adversus praedictum statutum in posterum concedat. Et si fraudulenter, nulla mentione habita huius statuti, obtentae fuerint, ipso jure nullae sint et irritae.

IV. De non elocandis filiabus praelatorum et ecclesiasticorum baronibus de patrimonio Christi.

Inhibet similiter haec praesens synodus, ne qui praelati, aut quicunque ecclesiastici, per se vel alios, eorum nomine, filias suas baronibus, aut aliis terrarum dominis, supra summam centum librarum annui haereditarii proventus habentibus, de patrimonio Christi dotent, aut in matrimonio collocent, sub poena tantundem pecuniae, quantum dotis nomine promissum, datumve fuerit, solvendi, et in alium usum exigendi, inque pios usus disponendi; neque etiam

filios suos barones aut terrarum dominos ultra summam centum librarum annui haereditarii proventus efficiant, sub poena tantundem levandi et repetendi, quantum terrae valuerint; terras autem ecclesiasticas, aut alias ad eorum beneficia spectantes, vel decimas dictis suis partibus et concubinis directe vel indirecte nullo modo alienent, vel assedent; quod si secus factum fuerit, cassae sint locationes et assedationes ipso facto et jure.

V. De familiis et servitoribus ecclesiasticorum.

Statuit praeterea haec synodus, ut nullus praelatus aut ecclesiasticus, cujuscunque status, gradus, dignitatis, aut praecminentiae existat, teneat, aut alat in sua familia, vel comitatu, aut ullo quotidiano officio quascunque personas de haeresi suspectas, aut qui sacrosanctae missae sacrificio, et aliis divinis officiis interesse dedignantur, diebus saltem dominicis, et majoribus festis, vel qui contemnunt ecclesiae sacramenta, vel qui contra fidem catholicam et orthodoxorum patrum sententiam erroneas teneant opiniones; sed statim, ubi hujusmodi reperi fuerint culpabiles, ab eorum consortio, servitio, et familia removeantur, prout iidem praelati respondere voluerint coram summo iudice; ac desuper fiat diligens inquisitio per ordinarios, sub poenis ducentarum librarum in singulos archiepiscopos, et alios praelatos, abbates, priores, et commendatarios in praemissis culpabiles, pro prima vice, et duplicanda pro secunda vice, et tertia vice triplicanda; et sic deinceps arbitraria in ecclesiasticos inferiores, arbitrio ordinariorum.

VI. Ne clerici exercent mercaturam.

Similiter statuit decretum prioris concilii mercaturam, et secularia negotia per ecclesiasticos vetans et prohibens, ad unguem observandum; addendo, quod si qui praelati, aut alii ecclesiastici per se, vel alios emant victualia, pisces, sal, biffinum, lanam, vel alias quascunque merces lucri causa, ut empta revendant, hujusmodi merces aut eorum valores a tali clerico negotiatore exigantur, et leventur pro prima vice (nomine multae intelligitur poena aliqua arbitraria, quae imponitur ad arbitrium) et si talis clericus negotiator continuaverit, exigatur duplum ejusdem per ordinarium loci, vel superiorem ejusdem in pia opera applicandum.

VII. De habitibus.

Statutum est et ordinatum, quod constitutiones prioris concilii de habitibus et tonsura clericorum et ecclesiasticorum virorum executioni demandentur, etiam in ipsos abbates, priores, commendatarios, et alios quoscunque beneficiis ecclesiasticis gaudentes, sub poena amissionis quartae partis proventuum suorum beneficiorum per ordinarium vel superiorem levandae, et piis usibus applicandae, pro prima vice... Hortatur similiter omnes et singulos archiepiscopos et episcopos huius regni, quatenus in publico et in ecclesia semper indumentis lineis, viz. suis rochetis congruis temporibus utantur.

VIII. De

VIII. *De celebratione horarum canonicarum, et de sacrificio missae.*

Praeterea hoc praesens concilium rogat, et in visceribus Jesu Christi hortatur omnes et singulos praelatos, et alios quoscunque ecclesiasticos, ut frequentius solito sacrosanctum missae sacrificium in conspectu populi celebrent ad Dei honorem, quo facilius populum christianum ad pietatem et religionem moveant; inquirant quoque ordinarii, an sacerdotes et beneficiati dicant, et quotidie recitent horas canonicas, et alia divina officia, et intersint sacrificio missae, saltem diebus dominicis, et aliis festis; et ad hoc per ordinarios moneantur et compellantur sub poenis arbitrariis in ipsos infligendis.

IX. *De visitatione monasteriorum.*

Insuper decrevit, quod statutum prius editum pro visitatione monasteriorum, monachorum, et monialium diligenter observetur, et quod ordinarii per seipsum, aut eorum fide dignos commissarios visitent singula monasteria, etiam exemptorum intra suas dioeceses, secundum formam concilii Tridentini, et de singulis, quae corrigenda sunt, inquirant et corrigant; et curent, ut sufficiens numerus religiosorum in illis sustentetur per facultates et redditus loci, ut honeste tractentur tam monachi, quam moniales in victu, vestitu, et in aliis necessariis; et ut loca diruta, et dilapsa reparentur, et ipsi ordinarii diligenter praedictum statutum exequantur, prout respondere voluerint coram summo iudice; et quod priorissae monialium per ordinarios moneantur, et compellantur ad reddendum computum, et ratiocinium omnium et singulorum proventuum suorum respective monasteriorum ipsis locorum ordinariis singulis annis, sub poenis et censura ecclesiastica.

X. *De reparationibus ecclesiarum.*

Item ordinat praesens synodus et decrevit, ut ecclesiae quaecunque intra regnum Scotiae dirutae et dilapsae reaedificentur, et reparentur in parietibus, tectis, ornamentis, et omnibus necessariis, a rectore et parochianis reparari solitis, et ad hoc per sequestrationem fructuum per ordinarios compellantur, et quod dirigantur litterae monitoriales contra rectores, eorum firmarios pro reparatione earundem, et fiat diligens inquisitio per ordinarios contra infringentes imagines, violatores, combustores ecclesiarum, et coram ordinariis vocentur, secundum juris dispositionem, et canonicas sanctiones puniendi; et pari modo procedatur contra parochianos pro reparationibus navium ecclesiarum, et murorum coemeteriorum. Vocentur quoque violatores sequestri, et puniantur, prout de jure. Statuit praeterea, ut nullae arbores in coemeteriis ecclesiarum plantatae, et crescentes, ex quavis causa scindantur, aut excendantur, nisi ex speciali causa consensu ordinarii, rectoris, vicarii, et parochianorum ipsius parochiae et ecclesiae; et qui in hoc culpabiles inveniuntur, coram ordinario vocentur, et puniantur, non solum in aestimationem et valorem arboris ex-

cisae, et ablatae, verum etiam in damnis et interesse, arbitrio ordinarii moderandis; verum si quae arbores ob vetustatem, vel aliquo casu fortuito deciderint, fabricae ipsius ecclesiae applicabuntur.

XI. *Quod beneficiati compellantur ad receptionem sacrorum ordinum, et de pluralitate beneficiorum.*

Approbat similiter hoc praesens concilium statuta in prioribus conciliis edita, quod singuli plura beneficia ecclesiastica obtinentes, per locorum ordinarios inter hinc et primum diem mensis Augusti proximi vocentur ad exhibendum suas dispensationes, si quas habeant, juxta tenorem cap. "Ordinarii" de officio judicis ordinarii lib. 6. singuli quoque beneficia ecclesiastica obtinentes, per locorum ordinarios ante dictum diem similiter vocentur, et qui minime sacris ordinibus initiati fuerint ad susceptionem ordinum suis beneficiis requisitorum, aut iisdem suis beneficiis renunciandum censura ecclesiastica, et sub poenis in cap. "Licet ea" de electione lib. 6. per ordinarios compellantur, ne de altari vivant, qui altari inservire dedignantur.

XII. *De curatorum stipendiis.*

Confirmat quoque et approbat praesens synodus statutum in priori concilio editum, quod singuli curati annuatim summam viginti marcarum monetae Scoticae, cum manso et horto, pro suo annuo stipendio et salario habeant; quod in dioecesibus Aberdonensi, Rossensi, Moraviensi, Cathanensi, et Orcadensi observari decrevit. In aliis vero dioecesibus hujus regni singulis curatis summa 24. marcarum annuatim pro suo stipendio et salario persolvatur, cum manso et horto solitis et consuetis.

Item vicarii pensionarii per locorum ordinarios ad personalem residentiam sub privationis poena compellantur.

XIII. *De poenis delinquentium, et de excessibus.*

Statuit praeterea et ordinavit haec synodus, quod statutum circa officium decanorum ruralium in priori concilio editum, debitae executioni demandetur, et ulterius brachii secularis auxilium invocetur contra impediennes decanos rurales, ac commissarios ordinariorum in visitatione et executione sui officii, et similiter contra parochianos citatos super assisiis et inquisitionibus contumaces, aut respondere super articulis recusantes. Insuper statuit, ut crimina laicorum ad jurisdictionem ecclesiasticam pertinentia, per publicas poenitentias in parochia, in qua delictum est commissum, vel apud cathedralem ecclesiam, ut ordinario et suis commissariis visum fuerit, secundum qualitatem et quantitatem delicti puniantur, et corrigantur, et invocetur auxilium brachii secularis contra inobedientes: et similiter procedatur super excessibus clericorum juxta juris exigentiam. Verum quia nonnulli poenas pecuniarias ab hujusmodi delinquentibus exigere, levare, et in suos proprios usus convertere dicuntur; statuit, quod hujusmodi poenae pecuniariae, ad quas solvendas sponte sese obligant delinquentes, vel pro quibus

quibus cautionem invenerint in pios usus, partim intra parochiam, ubi delictum est commissum, partim alibi arbitrio ordinarii disponantur. Et quo praefens statutum debitum sortiatur effectum, quilibet ordinarius eligat tres aut quatuor sui capituli, aut alios probos et discretos viros ecclesiasticos, qui de delictis hujusmodi et eorundem poenis cognoscant, ut easdem moderentur; et quod aliqui ex eisdem poenas pecuniarias in delinquentes inunctas exequantur, et recipiant, et de consilio ordinarii ad praedictos, et alios pios usus applicent, prout respondere voluerint.

XIV. *De praedicatione verbi Dei et circa neglectam doctrinae reformationem.*

Hoc praefens concilium approbat singula statuta in priori concilio pro praedicatione verbi Dei edita, et debitae executioni demandanda decrevit; quibus etiam addit, ut singuli episcopi per se non solum quater in anno, prout in priori concilio statutum erat, in suis dioecesibus praedicent, verum etiam frequentius, quoties commode per eosdem fieri poterit secundum formam et tenorem constitutionis concilii generalis in cap. "Inter caetera," de officio judicis ordinarii; et contra negligentiam inquiratur in proximo concilio provinciali. Et singuli etiam episcopi quolibet biennio ad minimum suas dioeceses integras per seipso complete visitent, et inter visitandum per se et per alios verbum Dei praedicent, et quae corrigenda invenerint, diligenter reforment et corrigant; et archidiaconi ad exequendum suum officium in visitando compellantur sub poenis in jure communi et ejus dispositione contentis, et hoc ultra visitationes fieri solitas per archidiaconos et decanos rurales, aut episcoporum commissarios. Et praeterea decrevit concilium statutum prioris concilii pro sustentandis per ordinarios canonista et theologo in singulis ecclesiis cathedralibus ante proximum concilium executioni demandandum, et quod singuli archiepiscopi et episcopi in familia sua theologum habeant.

XV. *De praedicatione facienda per alios ecclesiasticos.*

Insuper, ut frequentioribus verbi Dei praedicationibus instruatur populus, statutum est, ut ecclesiarum parochialium rectores, qui de judicio ordinarii ad praedicandum fidei rudimenta suis parochianis habiles et idonei censebuntur, per se non solum quater in anno, ut antea in priori concilio statutum erat, sed etiam frequentius, ad discretionem ordinarii, praedicent sub poena amissionis quartae partis fructuum suorum beneficiorum, per ordinarium loci levandorum, et in pios usus applicandorum; his vero, qui juvenes sunt, et inidonei ad praedicationis munus debite exequendum, per ordinarios jungatur, ut sese ad hoc quamprimum reddant per studia in gymnasiis publicis habiles, et interim per alios praedicatores suis sumptibus per ordinarios examinandos et admittendos praedicari, et suas vices suppleri faciant, donec de alio juris remedio opportuno fuerit provisum; et ad illud munus, ut dictum est,

obeundum, singuli tales rectores praedicatores suos conducant, et cum ipsis convenient, et ordinario praesentent ante primum diem Augusti proximi. Grandaevi autem, qui quinquagesimum annum excefferint, et antea non sunt soliti concionari, hoc ipsum similiter per alios fieri procurent, quibus etiam assistant, et eorum propria praesentia praedicatoribus ipsis majorem honorem addant et auctoritatem; et hoc praeter et ultra communes instructiones et catechismi lectiones singulis diebus dominicis, et aliis majoribus festivis, cum non sit concio, per curatos et pensionarios fieri solita: et similiter episcopi, abbates, priores, priorissae, commendatarii, administratores, praepositi, portionarii ecclesiarum, et quicumque praesunt ecclesiis cujuscunque monasterii, mensis episcopalibus, capitulis, et collegiatis unitis et annexis procurent verbum Dei in suis ecclesiis praedicandum per se, aut alios idoneos praedicatores, per ordinarium dioecesanum examinandos et admittendos, cum quibus convenient, et eosdem ordinario praesentent ante dictum primum diem mensis Augusti; quo quidem primo die mensis Augusti elapso, et dictis concionatoribus minime conductis, et ordinario praesentatis, quilibet ordinarius quartam partem fructuum cujuscunque ecclesiae, cui de praedicatione minime provisum fuit, exiget, et levabit, quos partim ad sustentationem praedicatorum applicabit, et partim in alios pios usus distribuet et disponet.

XVI. *De uniformi doctrina per singulos praedicatores observanda.*

Approbat similiter haec praefens synodus statutum in priori concilio editum de methodo et forma praedicationum a praedicatoribus observanda; addit quoque hoc praefens concilium, ut nullus officium praedicandi verbum Dei assumat, nisi prius per ordinarium loci examinatus, et legitime ad hujusmodi praedicationis munus exercendum admissus fuerit; et praedicatores admissi in his, quae circa negotia fidei, et religionis christianae, sacrae scripturae, sanctorumque doctorum et patrum approbatorum testimoniis, ecclesiae quoque catholicae, et conciliorum generalium auctoritate decreta sunt, sedulo ac diligenter inter concionandum sese exerceant, populumque in illis instruant, praesertim circa articulos subsequentes.

Sequuntur articuli de traditionibus ecclesiae.

Articulus I.

Certa fide tenendum est, non solum quod expresse nobis atque aperte per scripturas traditur, verum etiam quicquid ecclesia sancta catholica, aut universale concilium legitime congregatum, credendum tradidit, definit, et concludit; et similiter quicquid observandum praecipit, quod ad bonos mores attinet, observari debet; et contrarium pertinaciter asserere haereticum est.

Appendix.

Ecclesiae traditiones et ordinationes, ut quae de jejuniis, ciborum abstinentiis, et delectu, festorum celebrationibus, seu feriacionibus, et id genus

genus aliis ad sui observationem publice et privatim christianos obligant.

De sanctorum veneratione et invocatione. Articulus II.

Recte fit in ecclesia, quod sanctos cum Christo in caelis agentes veneramus, et invocamus, ut pro nobis orent, quorum precibus et intercessione Christus hic nobis multa largitur, per quos et in terris multa miracula operatur.

De recto imaginum usu. Articulus III.

Imagines Christi et sanctorum sunt licitae ad eorum repraesentationem et imitationem, et eadem absque ludibrio et opprobriis reverenter tractandae sunt.

De purgatorio post hanc vitam. Articulus IV.

Firmiter credendum est post hanc vitam esse purgatorium pro animabus, in quo poena adhuc debita peccatis exsolvitur; quibus tamen subvenitur piis vivorum operibus, quo citius liberentur.

De existentia corporis et sanguinis Christi in eucharistiae sacramento. Articulus V.

In eucharistiae sacramento est reipsa verum corpus Domini nostri Jesu Christi; hoc est, vera caro et verus sanguis ejusdem, immo totus Christus, Deus et homo: unde in eadem non panem, non vinum, non easdem etiam, quae oculis corporeis obijciuntur, species, sed Dominum nostrum Jesum Christum crucifixum recte adoramus, sive in missa, sive extra missam, ubicunque eucharistia reposita fuerit, aut quoties in supplicationibus publicis a sacerdote circumfertur.

De laicorum communione sub una tantum specie. Articulus VI.

Non est laicis ad salutem necessaria sub utraque specie communio, sed juxta legitimam ecclesiae sanctionem sub altera tantum panis; viz. sacramentum exhibere sufficit, in quo carnem et sanguinem, atque adeo totum Christum sub una duntaxat specie sumi credendum est.

De utilitate missae. Articulus VII.

Missae sacrificium in recordationem passionis Christi institutum, ejusdem passionis virtute vivis et mortuis prodest.

De legitimo sacramenti eucharistiae ministro. Articulus VIII.

Evangelico tantum sacerdoti secundum ecclesiae ritum legitime ordinato eucharistiae sacramentum benedicendi, consecrandi, aut ministrandi potestas concessa est.

XVII. De exhortationibus ante ministerium sacramentorum.

Insuper ut populus christianus sacramentorum ecclesiae verum effectum, vim, ac usum facilius ac commodius intelligere valeat, statuit

hoc praefens concilium quasdam catholicas exhortationes, easque succinctas declarationes sacramentorum baptismi, sacrosanctae eucharistiae, extremae unctionis, matrimonii, auctoritate hujus concilii edendas, et inferius inferendas, quas singuli parochi, vel alii presbyteri eorumdem sacramentorum legitimi ministri, ipsa sacramenta ministraturi, singulis suam propriam et debitam exhortationem praemittant, et publice et distincte recitent, et legant singuli curati et vicarii, dum sacrae missae sacrificium diebus dominicis et aliis majoribus festis sunt celebraturi, infra scriptam exhortationem; et ejusdem sacrificii declarationem publice in ecclesia similiter legant, quo populus christianus majori pietatis affectu rebus divinis assistat, et intersit; et idem observent episcopi in ministratone sacramentorum confirmationis, et ordinis, et confessorii sacerdotes in sacramento poenitentiae, quae quidem exhortationes in calce hujus concilii inscribuntur.

XVIII. De religiosis ad universitates mittendis.

Statuit et decrevit praefens synodus, quod statutum antea desuper editum executioni mandetur circa religiosos, ad universitates gratia studii mittendos; et singuli abbates, priores, et commendatarii exhibeant et praesentent ipsis ordinariis nomina eorum, qui mittuntur ad universitates, intra hinc et primum diem mensis Augusti proximi, et similiter testimoniales litteras ipsius universitatis, in qua fuerint recepti, et desuper diligens inquisitio per ordinarium fiat.

XIX. De qualitate promovendorum ad beneficia.

Haec praefens synodus diligenter attendens quamplurima oriri scandala in ecclesia Dei, dum inidonei aetate, moribus, et doctrina assumuntur, et ad ecclesiastica beneficia promoventur, statuit et decrevit, ut nullus in posterum assumatur, aut quovismodo promoveatur ad quodcunque ecclesiasticum beneficium per ordinarium loci, vel quemcunque alium, ad quem de jure vel consuetudine collatio vel provisio, seu quaevis alia dispositio pleno jure, et aliter ad praesentationem alicujus patroni pertinet, nisi praefens per ordinarium diligenter examinatus, ab eodem inveniatur idoneus ad exercendum et implendum officium tali beneficio annexum: alioqui collationes, provisiones, et dispositiones hujusmodi eo ipso nullae sint et invalidae; et eo in casu potestas disponendi et conferendi, ea vice duntaxat, ad superiorem, cui de jure provisio in casu devoluto pertinet, devolvatur, ac si hujusmodi collatio minime facta fuisset. Et pro observatione praesentis statuti concilium decrevit serenissimam dominam nostram reginam obnixae et humiliter deprecandam, ne quemquam ad episcopatum, monasteria, praelaturas, seu quodcunque aliud beneficium ad praesentationem, seu supplicationem, aut nominationem regiam spectans et pertinens, nominet,

^g Declarationes et exhortationes hae in MS. Baluziano omissae sunt.

praesentet, aut promovere patiatur, nisi moribus, scientia, et aetate ad officium dicto beneficio incumbens ad Dei honorem, et populi aedificationem exercendum idoneus, et qualificatus reperiatur; onerando conscientiam domini ordinarii admittentis seu conferentis, ne in districto Dei iudicio sanguis pereuntium de ejus manibus requiratur. Et pari modo concilio expedire visum est, literas supplicatorias ad sanctissimum dominum nostrum papam mittendas, ne quemquam ad praelaturas, vel alia quaecunque beneficia promoveat, aut promoveri patiatur, nisi aetate, moribus, et scientia idoneum.

XX. *De executoribus testamentorum dativis.*

Haec synodus provincialis volens et cupiens damno et indemnitati prolium, pupillorum, et aliorum in rebus et bonis ab intestato decedentium interesse habentium occurrere, et de remedio providere, statuit, et decrevit, ac ordinavit, quod in futurum nulli dentur aut confirmentur executores dativi ad bona ab intestato decedentium, vel extra testamenta emissa, nisi praevisio edicto publico tempore divinorum in ecclesia parochiali defuncti, saltem per quindecim dies antea citando intromissores bonorum talis defuncti, et omnes alios interesse habentes, debite executo, et indorsato, et vocato; et quidam magis idonei juxta discretionem ordinarii de proximioribus agnatis, vel cognatis defuncti, si comparuerint, in executores dativos confirmentur, cum tamen sufficiente cautione de fidei et debita dispositione et administratione bonorum et computo ad finem anni a die confirmati testamenti computandi reddendo et faciendo; necnon de debita responsione solutionis debitorum evictorum creditoribus, si qui sunt pro rata bonorum, absque tamen praepjudicio bonorum pertinentium uxori et prolibus defuncti, et casu, quo agnati cognati sunt, ut praemittitur, citati recusaverint onus executoriae acceptare, vel non comparuerint, constituentur per ordinarium alii viri probi, et boni testimonii, qui illud officium cum simili cautione debite exequantur: prohibet quoque, ne qui locorum ordinarii sibiipsis aut suis familiaribus aliqua de dictis bonis, praeter quotam solitam, recipiant, vel assignent.

XXI. *De mortuariis.*

Item in relevamen et subsidium pauperum, ad tollendum strepitum et murmur contra mortuaria obloquentium eadem in futurum solvenda, prout sequitur, decrevit; videlicet defunctorum bonis in inventario, debitis abstractis, in debitas partes divisus, ubi defuncti pars ad decem libras monetae Scoticae tantum se extenderit, vicario illius ecclesiae in compositionem pro annuali fine mortuario persolvi solito, et veste superiori solvantur quadraginta solidi tantum; et ubi defuncti pars ad summam decem librarum se non extenderit, sed infra eandem summam usque ad viginti solidos respective in compositione, de qua supra, solvatur vicario de dicta parte defuncti, pro rata quadraginta solidorum de decem libris; et quando de-

functi pars viginti solidos non excefferit, nihil inde solvatur pro mortuario, vel veste superiori. Si vero defuncti pars ultra summam decem librarum dictae monetae Scoticae se extenderit, tum satisfaciatur vicario pro praemissis, ut antea consuetum est; non obstante praesenti constitutione. Circa barones vero et burgorum incolas servetur vetus consuetudo. Si qui autem defunctorum iuxta inventaria non fecerint, aut bona in ipsis inventariis contenta iuste non aestimaverint, tunc per ordinarios in vicariorum favorem de remedio provideatur opportuno: et in singulis episcoporum synodis hoc ipsum statuatur et publicetur; non obstante praecedenti constitutione.

XXII. *De terris ad ecclesias spectantibus in feudi firmam, seu emphytheosim minime locandis.*

Pensato diu ecclesiae incommodo, subditorum hujus regni depauperatione, et magno inde exorto, praesertim belli tempore, et alias, defectu habilium pro tuitione regni virorum, dispendio per locationem terrarum ecclesiae spectantium in feudo, emphytheosi et aliis assedationibus et arrendationibus, aliis personis, quam antiquis nativis tenentibus, possessoribus et elaboratoribus terrarum; vetat et prohibet praesens concilium, ne quis archiepiscopus, episcopus, abbas, prior, priorissa, commendatarius, praepositus, decanus, usufructuarius, praepceptor, minister, ecclesiae cathedralis et collegiatae canonicus, praebendarius, rector, vel vicarius, seu quivis alius ecclesiasticus secularis vel regularis quascunque terras, ad suum beneficium pertinentes, deinceps locet, concedat, aut arrendet in emphytheosim, vel assedationem quamcunque longam vel brevem, nisi duntaxat tenentibus et elaborantibus earundem; et si quas tales terras contra praesentis constitutionis tenorem locari contigerit, earundem locationes, five ad feudum, five ad certos annos fiant, ipso jure nullae existant et invalidae cum decreto irritante. Et archiepiscopi, praelati, et alii ex praedictis ecclesiasticis dignitatibus et beneficiis, terras taliter principaliter in feudum, vel ad annos locantes, tertia parte fructuum illius beneficii, cui tales terrae pertinent, pro uno anno mulctabuntur, per superiorem suum levanda, et ad pios usus applicanda; et eadem poena canonici, et praebendarii ex cathedralibus et collegiatis ecclesiis in tertia parte suorum beneficiorum, ac religiosi ex conventibus religiosorum et monasteriorum in tertia parte suae portionis pro uno anno, simili modo in pios usus arbitrio ordinarii dioecesei applicanda, punientur; ipsis nihilominus alienationibus, seu locationibus contra praesentis statuti tenorem factis seu fiendis, nullis omnino existentibus et invalidis ipso facto et jure, super quibus uniuscujusque dioecesei ordinarius singulis annis tenebitur diligenter facere inquisitionem. Et praeterea statutum est casu, quo aliqui ex dictis tenentibus et terrarum laboratoribus, qui tales locationes obtinuerint, aut quos in posterum obtinere contigerit easdem in manibus superiorum, in favorem quorumcunque, ex quavis causa resignare

re voluerint; tum eo in casu non licebit dictis archiepiscopis, episcopis, abbatibus, praelatis, vel aliis dictis ecclesiasticis beneficiatis in dictis feudis vel locationibus recipere vel admittere quoscunque alios existentes majoris gradus et potentioris, quam dicti resignantes extiterint, dummodo sufficientes fuerint ad hujusmodi terras occupandas, et pro eisdem juxta tenorem locationis respondendis; proviso tamen, quod si contigerit dictos tenentes et laboratores fundorum deficere in solutione censuum, vel aliud committere, propter quod hujusmodi locationes amittere debeant, et ab illis juste amoveri, eo casu licebit dictis praelatis et ecclesiasticis beneficiatis, talibus tenentibus amotis, vel easdem terras suis propriis bonis occupare,^b vel aliis personis non majoris gradus et conditionis, sufficientibus tamen laboratoribus, et non aliis locare, sub poena tertiae partis fructuum supradictorum, necnon nullitatis hujusmodi locationis fructuum ipso facto et jure. Quantum vero ad glebas ecclesiasticas attinet, vetat et prohibet praesens synodus, ne ullo modo, aut ex quavis causa in feudum seu emphytheosim locentur, aut etiam ultra triennium, et hoc duntaxat laboratoribus et occupatoribus earundem de praesenti eisdem possessis, et non aliis, sub poenis supradictis; praesenti statuto pro quinquennio proxime futuro duntaxat duraturo.

XXIII. *De decimis.*

Statutum item et ordinatum extat in favorem pauperum colonorum et agricolarum, quod decimae garbales, quae de praesenti in manibus seu libera dispositione archiepiscoporum, episcoporum, abbatum, priorum, commendatariorum, priorissarum, monialium, praepositorum, ecclesiarum tam cathedralium, quam collegiatarum canonicorum, vel praebendariorum, rectorum, seu aliorum quorumcunque ecclesiasticorum virorum, tam religiosorum quam secularium, aut per ipsos viros ecclesiasticos ad eorundem proprios usus colligantur, aut ipsis colonis et agrorum laboratoribus locentur et assidentur, nisi ipsorum colonorum obstat malitia nolentium; videlicet pro decimis hujusmodi ecclesiasticis viris redditus consuetos et persolvi solitos, saltem communiter ad decennium jam proxime persolvere, et sufficientem cautionem pro solutione fienda praestare. Quod si ipsis colonis seu occupatoribus terrarum recusantibus tales decimas, aliis locare contigerit, tunc hujusmodi locatio pro triennio duntaxat fiat; alias vero decimas, quae in aliorum manibus ad longum vel breve tempus sive super literas assedationis. . . sive tolerantia existunt, omnibus modis tenentur ecclesiastici viri, ad quos earundem decimarum locatio pertinet, ipsis colonis seu terrarum occupatoribus, ut supra, locare; quod si commode id efficere nequeant, omni saltem ingenio talem conditionem cum decimis hujusmodi de novo conducentibus inire studeant, quod colonis sive laboratoribus juxta ratam occupationis eorundem moderato pretio seu aestimatione locentur tales decimae, ne adversus ecclesiasticos viros

tali occasione oriantur scandala, aut murmur invalescat in posterum: super quorum executione singulorum onerantur conscientiae, prout in die judicii respondere voluerint; praesenti tamen decreto pro quinquennio duntaxat duraturo.

XXIV. *De abbreviatione processuum curiarum consistorialium et officio procuratorum.*

Statuit praeterea omnia et singula statuta in priori concilio edita pro abbreviatione processuum curiarum consistorialium, et officio procuratorum observantiae et debitae executioni demandanda, et quod in omnibus causis summariis procedatur summarie, et de pleno sine strepitu judicii, amputatis dilationibus, quantum de jure fieri poterit. Quae vero sint causae summariae in calce praesentis concilii inferentur; addendo insuper, quod quicumque procurator vel advocatus frivolam exceptionem replicandam, duplicandam, triplicandam, quadruplicandam in judicio exhibuerit, seu aliter manifeste deprehensus fuerit, pro prima vice poena 40. solidorum, pro secunda vice quinque librarum monetae hujus regni, in pios usus, ad arbitrium judicis applicandorum absque remissione mulctetur, et tertia ab officio procurandi vel advocandi in ea curia in perpetuum suspendatur et removeatur.

XXV. *Quod nullae absolutiones dentur ex motivis neque ad effectum agendi.*

Statuit similiter, quod nullae deinceps per archiepiscopos, episcopos, eorumve officiales et commissarios, vel alios quoscunque iudices ecclesiasticos, ordinarios vel delegatos, dentur absolutiones a sententiis excommunicationis, et aliis censuris ecclesiasticis ex quacunque causa fulminatis, cum illa clausula "propter motiva; ex motivis," vel similibus clausulis; sed vel concedantur simpliciter, vel inferatur causa in iisdem, propter quam dentur, alioquin nullus sit roboris vel momenti. Item, quod in posterum nullae dentur absolutiones, a quibusvis sententiis excommunicationis, et aliis censuris ecclesiasticis, ex quacunque causa etiam contumaciae fulminatis, ad effectum agendi, prosequendi, judicandi, vel alicujus membri curiae officium exercendi, nisi duntaxat testimonii conferendi causa; alioquin nullae sint ipso jure et invalidae.

XXVI. *Quod in capitulis omnia capitulariter gerantur.*

Similiter statutum est, quod in omnibus capitulis et conventibus, in quibuscunque actibus capitularibus omnia gerantur, et fiant capitulariter, et in loco capitulari, tam quoad consensum praestandum, quam etiam quoad subscribendum et sigillandum; alioquin facta et gesta nulla sint et invalida.

XXVII. *De officialibus et commissariis episcoporum.*

Statuit insuper, quod officiales et commissarii ordinariorum ipsorumque delegati quicumque, sint sacerdotes, et aliter sufficienter qualificati

^b Forte "applicare."

pro jurisdictione ecclesiastica exercenda; et singuli archiepiscopi, episcopi, et alii jurisdictionem ordinariam habentes, hoc statutum executioni demandent, infra hinc et primum diem mensis Junii, superioribus negligentiam suorum inferiorum dicto die elapso suppleturis.

XXVIII. *De legitima aetate subditorum regni.*

Praeterea statuit et declarat, subditos hujus regni, quamprimum vicesimum primum aetatis suae annum compleverint, esse et debere censerī majores, aetatisque perfectae; et ita judicandum in foro ecclesiae, quod et in foro civili de jure et consuetudine hujus regni est observatum; et si quae actiones coram iudicibus pendent, secundum praesentis tenorem judicentur.

XXIX. *De collectoribus poenarum.*

Insuper statutum est, quod in singulis dioecibus per ordinarios deputentur tres aut quatuor ecclesiasticae personae, habiles et sufficientes ad collectionem et levationem omnium et singularum poenarum pecuniarumque statutarum praedict. cum potestate easdem in pia opera, modis, quibus supra, et aliis legitimis, de eorundem ordinariis respective consilio disponendi; qui etiam deputati tenebuntur in proximo concilio provinciali dispensationis et dispositionis suae rationem reddere.

XXX. *Quod singuli parochiani intersint missae sacrificio.*

Item, quod a singulis ordinariis per ecclesiarum rectores leventur literae monitoriales, ut singuli parochiani divinis officiis, et praesertim missae sacrificio devote intersint, singulis annis per decanos rurales, et alios commissarios contra eos, qui adesse dedignantur, diligens inquisitio fiat.

XXXI. *De forma literarum ordinariarum, et aliarum monitorialium et inhibitorialium exequendarum.*

Statutum est, quod in futurum literae monitoriales sive inhibitoriales super provisionibus et collationibus beneficiorum, et super decimis, dentur per locorum ordinarios, et eorum officiales sub poena excommunicationis cum hac clausula: ["Quam poenam in contrarium facientes ferimus in his scriptis, et quos vos sic excommunicatos in ecclesiis vestris, et ubi episcopus fuerit, dominicis et aliis festivis diebus tempore summae missae et divinorum excommunicatos denunciatis et publicetis."]

XXXII. *De ratione pro minutis decimis et oblationibus ante Pascha faciendis.*

Cum juxta apostoli sententiam non solum ab omni malo, verum etiam ab omni specie mali abstinendum sit, maxime vero circa ecclesiae sacramentorum administrationem, quae Dominus noster Jesus Christus, ut gratis instituit, gratis etiam fidelibus exhiberi et ministrari voluit; hinc ad evitandum populare murmur, praesertim tempore Paschae, dum in sacramenti corporis et sanguinis Christi ministerio, in exigendis minutis decimis, et aliis quibusdam oblationibus ecclesiae ministros adeo contingit esse

solicitos, ut in grave christianorum scandalum rudi saltem populo, singulisque, qui in ecclesia fuerint, ratione vestimenti reddendi, videantur augustissimum illud sacramentum venundare; statuit et ordinat haec synodus, ut ecclesiarum vicarii, prout singulis eorum manebit, cum suis parochianis paulo ante Quadragesimam in mense Februario pro decimis hujusmodi minutis, sive personalibus sive mixtis, aliis quoque oblationibus ecclesiae debitis, rationem ineant; et ad hunc effectum literas monitoriales in forma debita a suis ordinariis respective levent, impetrent, et executioni demandari curent, ut in paschali solennitate populus christianus liberius orationi vacet, idemque sacramentum ardentiori pietatis affectu, divinoque fervore percipiat, omni tunc temporis exactione penitus interdicta: spontaneae autem fidelium oblationes, facto dicti sacramenti ministerio, ab eis, qui libere offerre voluerint, recipiantur; ac nihil exigatur, ut supra.

XXXIII. *De baptismatione infantum secundum formam a Christo institutam, et ab ecclesia receptam.*

Quoniam Paulus Methwen, Willelmus Harlaw, Johannes Grant, Johannes Willocks, Johannes Patritz, et alii complures catholicae fidei et ecclesiasticae unitatis desertores, non solum pestifera haereseos dogmata disseminarunt, sed et novum, inusitatum, et nusquam ab ecclesia catholica haecenus receptum baptizandi modum induxerunt, unde merito dubitari possit, utrum infantes, ab eis et similibus sic baptizati, verum baptisma sint consecuti, necne; proinde ut hujusmodi omnis ambiguitas tollatur, et infantum saluti tutius ac melius consulatur; decrevit haec synodus, ut tales infantes a sacerdotibus baptizentur secundum formam a Christo institutam, et ab ecclesia receptam, in qua quidem ecclesiae forma sacerdotes proferant haec verba: "Si tu es baptizatus, ego non te baptizo; sed si non es baptizatus, ego te baptizo in nomine Patris," etc. adjiciendo etiam aspersionem, oleum, et alia inter baptizandum observari solita. Atque ut dictum decretum ad honorem Dei et infantum salutem cito et facile fortiatur effectum, moneat patrem et matrem dictorum infantum, ut illos deferant aut deferendos curent ad suas ecclesias parochiales, et praesentandos vicario, curato, aut alii sacerdoti illius sacramenti legitimo ministro, et hoc ante quindecim dies monitionem talem proxime subsequentes, sub poena excommunicationis majoris. Insuper prohibet praesens synodus, ne qui infantes in posterum baptizentur, nisi a sacerdotibus, et hoc secundum communem formam ecclesiae, necessitatis articulo excepto, sub poena excommunicationis majoris tam in patrem, quam in matrem, quam etiam in ministros, et patrilinos, et matrilinas, et aliis poenis a jure statutis.

XXXIV. *Ne sacramenta eucharistiae aut matrimonii ministrentur, nisi secundum solitam formam ab ecclesia institutam.*

Similiter prohibet haec praesens synodus, ne quis

quis in posterum praesumat ministrare sacramenta eucharistiae et matrimonii, vel eadem recipere, nisi secundum solitam et consuetam formam ecclesiae, hactenus rite observatam, et a sacerdotibus celebrari consuetam, sub poena excommunicationis majoris, tam in ministrantes et celebrantes, quam etiam in eadem suscipientes.

Apud aedem dominicanorum fratrum in concilio provinciali hujus regni Scotiae incepto, ut supra, et finiendo seu finito die 10. mensis Aprilis, anno Domini millesimo quingentesimo quinquagesimo nono.

Monitio five intimatio concilii provincialis proxime futuri. Haec praesens synodus signi-

ficat, et intimat reverendis archiepiscopis, eorumque episcopis, suffraganeis, abbatibus, prioribus, commendatariis, ac omnibus aliis hujus regni ecclesiasticis viris, fore concilium Edinburgi in coenobio dominicanorum die dominica Septuagesimae proxime futura; ut illic diligenter consideretur, utrum omnia praesentis concilii decreta sint executioni demandata, atque ut ibidem mature consultetur de aliis rebus ecclesiasticae disciplinae, si quae interim oriantur. Praeterea vult praesens synodus, ut omnes ecclesiastici ordinis existiment se hac intimati-
one sufficienter monitos atque citatos ad dictum concilium proxime futurum.

Archiepisc. Cant.
MATTH. PARKER I.

Anno Christi
1560.

Reg. Angliae
ELIZAB. 2.

Litterae patentes reginae de forma precum publicarum Latine vertenda.

ELIZABETH, Dei gratia Angliae, Franciae, et Hiberniae regina, fidei defensor, etc. omnibus, ad quos praesentes litterae pervenerint, salutem. Cum memores officii nostri erga Deum omnipotentem (cujus providentia principes regnant) legibus quibusdam saluberrimis, consensu trium regni nostri statuum sancitis, anno regni nostri primo, regium nostrum assensum libenter praeberimus; inter quas una lex lata est, ut preces publicae, una, et eadem certa et praescripta precandi forma, lingua vulgari, et vernacula, passim in ecclesia Anglicana haberentur, quo subditi nostri, quid orarent, facilius intelligerent, et absurdum illum, diuque in ecclesia inveteratum errorem tandem devitarent. Fieri enim non potest, ut preces, supplicationes, aut gratiarum actiones non intellectae, mentis ardorem aliquando excitent et accendant, cum spiritu, et veritate, Deus qui spiritus est, non oris tantum strepitu adorari vult. Cui rei etiam addi potest, quod hac caeca ignoratione superstitiosae preces, aut res alienae, non satis idoneae, quae Deo profunderentur, cordium humanorum scrutatori, saepenumero ore profano offerebantur. Notum vobis esse volumus, quod quoniam intelligimus collegia utriusque academiae, Cantabrigiensis et Oxoniensis; collegium item novum prope Wintoniam, et Etonense, bonis literis dicata, supplicibus votis petere, ut quo sacrarum litterarum monumenta Latina, ad uberiores theologiae fructum eis reddantur magis familiaria, eis liceat eadem forma precum Latine uti. Omnibus reipublicae nostrae membris, quantum in nobis est, consulere, et cum eorum necessitati, qui Latina non intelligunt, tum eorum voluntati, qui utramque linguam percipiunt, consulere cupientes; constituimus per praesentes, licitum esse et permissum nostra auctoritate et privilegio regali tam decano et sodalitis

ecclesiae Christi in academia nostra Oxoniae, quam praesidibus, custodibus, rectoribus, magistris, et sodalitatibus omnium et singulorum collegiorum Cantabrigiae, Oxoniae, Wintoniae, et Etoniae, hoc modo precandi Latine uti publice in ecclesiis et sacellis suis, quem nos per nostrum typographum edi curavimus in hoc praesenti volumine, convenientem cum Anglicano nostro publicarum precum libro, jam per universum nostrum regnum recepto et usitato. Cui item peculiaria quaedam in christianorum funeribus et exequiis decantanda adjungi praecepimus; statuto illo praedicto de ritu publicarum precum (cujus supra mentionem fecimus) anno primo regni nostri promulgato, in contrarium non obstante. Proviso semper, quod in ejusmodi collegiis, quibus laicorum parochiae annexae erunt, ac in reliquis etiam, ad quorum templa laici, eorundem collegiorum famuli, et ministri, sive alii quicunque Latinae linguae imperiti, necessario adire debent; his horae aliquot opportunae, et loca in dictis ecclesiis, aut sacellis, assignentur, in quibus, festis saltem diebus, preces matutinae et vespertinae legantur et recitentur, et sacramentorum administrationes suis temporibus Anglice ad laicorum aedificationem celebrari possint. Eadem etiam formula Latina precandi privatim uti hortamur omnes reliquos ecclesiae nostrae Anglicanae ministros, cujuscunque gradus fuerint, iis diebus, quibus aut non solent, aut non tenentur parochianis suis, ad aedem sacram pro more accedentibus, publice preces vernacula lingua, secundum formam dicti statuti, recitare. In praemissorum autem fidem et testimonium has litteras nostras fieri fecimus patentes. Dat. apud palatium nostrum de Westmonasterio sexto die Aprilis, anno regni nostri secundo.

Celebratio coenae Domini in funeribus, si amici et vicini defuncti communicare velint, etc. anno 2. Elizabethae reginae M.D.LX.

In commendationibus benefactorum.

Ad cujusque termini finem commendatio fiat fundatoris, aliorumque clarorum virorum, quorum beneficentia collegium locupletatur.

VOL. IV.

Ejus haec sit forma.

Primum recitetur clara voce oratio dominica: Pater noster, qui es in caelis, etc.

K k k

Deinde

Deinde recitentur tres Psalmi.

Exaltabo te Deus, Psalm. 144.

Lauda anima mea Do. Psalm. 145.

Laudate Dominum quoniam bonus. Psalm. 146.

Post haec legatur cap. 44. Ecclesiastici.

His finitis, sequatur concio, in qua concionator fundatoris amplissimam munificentiam praedicet: quantus sit literarum usus ostendat: quantis laudibus afficiendi sunt, qui literarum studia beneficentia sua excitent: quantum sit ornamentum regno dictos viros habere, qui de rebus controversis vere judicare possint: quanta sit scripturarum laus, et quantum illae omni humanae auctoritati antecedant: quanta sit ejus doctrinae in vulgus utilitas, et quam late pateat: quam egregium et regium sit (cui Deus universae plebis suae curam commisit) de multitudine ministrorum verbi laborare, atque, hi ut honesti atque eruditi sint, curare: atque alia ejus generis, quae pii et docti viri cum laude illustrare possint.

Hac concione perorata, decantetur,

Benedictus Dominus Israel.

Ad extremum haec adhibeantur.

Minister.

In memoriam aeternam erit justus.

Responsio.

Ab auditu malo non timebit.

Minister.

Justorum animae in manu Dei sunt.

Responsio.

Nec attingit illos cruciatus.

Oremus.

Domine Deus, resurrectio et vita credentium, qui semper es laudandus tam in viventibus, quam in defunctis, agimus tibi gratias pro fundatore nostro N. caeterisque benefactoribus nostris, quorum beneficiis hic ad pietatem et studia literarum alimur; rogantes, ut nos his donis ad tuam gloriam recte utentes, una cum illis, ad resurrectionis gloriam immortalem perducamur; per Jesum Christum Dominum nostrum. Amen.

Celebratio coenae Domini in funebribus, si amici et vicini defuncti communicare velint.

Collecta.

Misericors Deus, pater Domini nostri Jesu Christi, qui es resurrectio et vita, in quo qui credidit, etiam si mortuus fuerit, vivet; et, in quo qui crediderit et vivit, non morietur in aeternum; quique nos docuisti per sanctum apostolum tuum Paulum, non debere moerere pro dormientibus in Christo, sicut ii, qui spem non habent resurrectionis; humiliter petimus, ut nos a morte peccati resuscites ad vitam justitiae, ut cum

ex hac vita emigramus, dormiamus cum Christo, quemadmodum speramus hunc fratrem nostrum; et in generali resurrectione, extremo die, nos una cum hoc fratre nostro resuscitati, et, receptis corporibus, regnemus una tecum in vita aeterna; per Dominum nostrum Jesum Christum. Amen.

Epistola. 1 Thess. iv.

Nolo vos ignorare fratres de his, qui obdormierunt, ne doleatis, quemadmodum et caeteri non habentes spem. Nam si credimus, quod Jesus mortuus est et resurrexit, sic et Deus eos, qui obdormierunt, per Jesum, adducet cum illo. Hoc enim vobis dicimus in verbo Domini, quod nos, qui vivimus, et reliqui erimus in adventum Domini, nequaquam praeveniemus eos, qui dormiunt. Quoniam ipse Dominus cum hortatu et voce archangeli, ac tuba Dei descendet de caelo, et mortui in Christo resurgent primum; deinde nos, qui vivemus, qui reliqui erimus, simul cum illis rapiemur in nubibus in occursum Domini in aere, et sic semper cum Domino erimus. Proinde consolemini vos mutuo sermonibus his.

Evangelium Johan. vi.

Dixit Jesus discipulis suis et turbis Judaeorum: omne quod dat mihi Pater, ad me venit; et eum, qui venit ad me, non ejicio foras. Quia descendi de coelo, ut faciam non quod ego volo, sed quod vult is, qui misit me. Haec est autem voluntas ejus, qui misit me, Patris; ne quid perdam ex omnibus, quae dedit mihi, sed resuscitem illa in novissimo die. Haec est autem voluntas ejus, qui misit me, ut omnis, qui videt filium, et credit in eum, habeat vitam aeternam, et ego suscitabo eum novissimo die.

Vel hoc evangelium. Johan. v.

Dixit Jesus discipulis suis et turbis Judaeorum: Amen, amen dico vobis, qui sermonem meum audit, et credit ei, qui misit me, habet vitam aeternam, et in condemnationem non venit, sed transivit a morte in vitam. Amen, amen dico vobis, quod veniet hora et nunc est, quando mortui audient vocem filii Dei, et qui audierint, vivent. Sicut enim Pater habet vitam in semetipso, sic dedit et Filio habere vitam in semetipso; et potestatem dedit ei judicandi quoque, quia filius hominis. Nolite mirari hoc; quia veniet hora, in qua omnes, qui in monumentis sunt, audient vocem ejus, et prodibunt; qui bona fecerunt, in resurrectionem vitae; qui vero mala egerunt, in resurrectionem condemnationis.

Bishop

Archiepisc. Cant.
MATTH. PARKER. I.

Anno Christi
1560.

Reg. Angliae
ELIZAB. 2. 11

Bishop of London's letter about perambulation in Rogation week. Ex reg. Grindall, fol. 21.

FOR avoiding of superstitious behaviour, and for uniformity to be had in the Rogation week now at hand, these shall be to require you to give notice and commandment within your archdeaconry, that the ministers make it not a procession, but a perambulation; that they suffer no banners, nor other like monuments of superstition to be carried abroad, neither to have multitude of young light folks with them, but the substantial of the parish, accord-

ing to the injunctions; the ministers to go without surplices and lights, and to use no drinkings, except the distance of the place do require some necessary relief; and to use at one or two convenient places the form and order of prayers, the thanksgiving appointed by the queen's majesty's injunctions. Thus fare ye well. From my house in London the 14. of May, anno M.D.LX. To Mr. Cole, archdeacon of Essex, this to be delivered with speed.

Bulla papae Pii quarti reginae Elizabethae per Vincentium Parpaliam, abbatem S. Salvatoris missa. Ex Cambd. Annal. p. 72. seq.

Charissimae in Christo filiae Elizabethae, reginae Angliae.

CHARISSIMA in Christo filia nostra, salutem et apostolicam benedictionem. Quanto pere cupiamus, nostro ita pastoralis officio postulante, salutis tuae consulere, et honori tuo simul regnique stabilitati prospicere, et scrutator cordium novit Deus, et ipsa intelligere poteris ex mandatis, quae dilecto huic filio Vincentio Parpaliae, abbati sancti Salvatoris, homini tibi noto, nobisque probatissimo, ad te dedimus. Proinde hortamur et monemus celsitudinem tuam etiam atque etiam, charissima filia, ut, repudiatis malis suavoribus, qui non te, sed se ipsos amant, suisque ipsorum cupiditatibus inferviunt, Dei timorem in consilium adhibeas, tempusque tuae visitationis agnoscens, paternis nostris monitis salutaribusque consiliis obtemperes; omniaque de nobis tibi polliceare, quae non modo ad animae tuae salutem conservandam, sed etiam ad dignitatem regiam stabilendam et confirmandam pro auctoritate, pro loco, ac munere, quod nobis a Deo commissum fuit,

a nobis desideraris. Qui te, si ut optamus et ut speramus, in ecclesiae gremium redieris, eodem, quo evangelicus ille pater reversum ad se filium, amore sumus et honore ac laetitia recepturi. Quanquam eo major nostra laetitia futura est, quod is unius filii salute gavissus est, tu tecum una universos Angliae populos trahens, non solum ex tua, sed ex totius nationis salute, nos et universitatem fratrum nostrorum, quos propediem, Deo juvante, ad tollendas haerese in oecumenico generalique concilio congregatos audies, et universam ecclesiam laetitia gaudioque complebis. Quinetiam caelum ipsum exhilarabis ex tam memorabili facto admirabilem nomini tuo gloriam, et multo splendidiorem ea, quam geris, coronam adeptura. Sed hac de re pluribus verbis Vincentius tecum aget, et nostrum tibi paternum animum declarabit; quem ut benigne excipias, diligenterque audias, eandemque ut ejus orationi fidem habeas, quam haberes nobisipsis, serenitatem tuam rogamus. Datum Romae apud sanctum Petrum, etc. die quinto Maii M.D.LX. anno primo.

Inhibitio archiepiscopi Cant. episcopo London. de visitatione non exercenda. Ex reg. Parker, fol. 220. b.

MATTHAEUS, permissione divina Cant. archiepiscopus, totius Angliae primas et metropolitanus, venerabili confratri nostro domino Edmundo, eadem permissione London. episcopo, vestroque vicario in spiritualibus generali, officiali principali, sive commissario cuicunque, salutem, et fraternam in Domino charitatem. Licet compertum habeamus tam de jure, quam de laudabili ac diu legitimeque praescripta consuetudine, praedecessoribus nostris Cant. sedis archiepiscopis, pro tempore successive existentibus licuisse, ac nobis, qui Dei miseratione in eadem sede sumus collocati, praerogativa metropolitana sedis praedictae licere, et liberum esse, universum populum sub finibus nostrae Cantuar. provinciae degent, ad volunta-

tis nostrae arbitrium visitare, et quos a via Domini, ac a vera pietate et religione deviantes invenerimus, ad debitam reformationis normam redigere et reducere; tamen cum aures nostrae non sine magno nostro dolore, crebris ac lachrymosis cleri nostri Cant. provinciae clamoribus personuerunt ac personant, quod nedum clerus, sed et populus universus assiduis visitationibus ac procuratorum exactionibus immodicis, ac caeteris oneribus ita premantur, ut in maximum sui status ac ministerii scandalum, vix habeant, quo victum et vestitum suos [emere] teneantur; nos igitur (sicuti tenemur) cleri ac ministrorum dictae nostrae Cant. provinciae prementis necessitati obviare ex animo cupientes, ac quietem et tranquillitatem totius provinciae nostrae

strae, ac omnium ubilibet in eadem degentium, praesertim in hoc tam negotioso anni tempore summe curantes, visitationem nostram metropolitanam huiusmodi in et per totam provinciam nostram Cantuar. inchoand. et exercend. usque in aliud tempus, quo eandem commodius exercere possumus, duximus deferendam. Et quia ad nostrum nuper pervenerat auditum, quod nonnulli venerabiles confratres nostri provinciae nostrae Cant. episcopi suffraganei, clerum et populum dioec. suarum propediem visitare proponunt et intendunt, vobis, ac illis omnibus et singulis, ex causis praedictis, et aliis nos in hac parte specialiter moventibus, sub modo et forma subscriptis duximus inhibend. quocirca fraternitati vestrae tenore praesentium committimus et mandamus, quatenus receptis praesentibus cum omni, qua fieri poterit, maturitate celeritate, omnibus et singulis venerabilibus confratribus nostris, episcopis suffraganeis provinciae nostrae Cant. vice et auctoritate nostris inhibeatis, quibus nos etiam tenore praesentium sic inhibemus; ne a tempore inhibitionis huiusmodi eis, aut eorum alicui in hac parte fiend. ecclesias suas cathedrales, aut civitates, vel dioec. suas, clerumve aut populum in eis-

dem degent. five resident. visitare, seu visitari facere conentur, aut illorum aliquis conetur, sub poena contemptus illis, et eorum cuilibet infligend. donec et quousque aliud a nobis habuerint in mandatis. Vobis etiam, confrater antedictae, tenore praesentium inhibemus, ac per vos officariis et ministris vestris quibuscunque sic inhiberi volumus et mandamus, ne a tempore receptionis praesentium, ecclesiam vestram cathedralem, ac civitatem, vel dioec. London. praedict. clerumque aut populum in eisdem degent. five resident. visitare, seu visitari facere conemini, aut illorum aliquis conetur, sub poena praedicta, donec et quousque aliud a nobis habueritis in mandatis; salvis tamen vobis et illis, ac vestris et eorum officariis, et ministris quibuscunque omnimodis jurisdictionis vestrae spiritualis et ecclesiasticae exercitiis, in et per totas civitates et dioec. vestras respectue (visitationibus ordinariis earundem duntaxat exceptis) praesentibus literis nostris inhibitoriis in aliquo non obstantibus. In cujus rei testimonium sigillum nostrum praesentibus apponi fecimus. Dat. vicesimo septimo die mensis Maii, anno Domini M.D.LX. et nostrae consecrationis anno primo.

Archiepisc. Cant.
MATTH. PARKER I.

Anno Christi
1560.

Reg. Angliae
ELIZAB. 2.

Bishop Jewell's challenge.

IF any learned men of our adversaries, or all the learned men, that be alive, be able to bring any one sufficient sentence out of any old catholic doctor, or father, or general council, or holy scripture, or any one example in the primitive church, whereby it may clearly and plainly be proved, during the first six hundred years, I. That there was at that time any private mass in the world. II. Or that there was then any communion ministered to the people under one kind. III. Or that the people had their common prayer in a strange tongue, that the people understood not. IV. Or that the bishop of Rome was then called an universal bishop, or the head of the universal church. V. Or that the people were then taught to believe, that Christ's body is really, substantially, corporally, carnally, or naturally in the sacrament. VI. Or that his body is, or may be in a thousand places, or more at one time. VII. Or that the priest did then hold up the sacrament over his head. VIII. Or that the people did then fall down and worship it with godly honour. IX. Or that the sacrament was then, or now ought to be hanged up under a canopy. X. Or that in the sacrament, after the words of consecration, there remain only the accidents and shews, without the substance of bread and wine. XI. Or that then the priest divided the sacrament into three parts, and afterwards received himself all alone. XII. Or that whosoever had said the sacrament is a figure, a pledge, a token, or a remembrance of Christ's body, had therefore been judged for an heretic. XIII. Or that it was

lawful then to have thirty, twenty, fifteen, ten, or five masses said in one day. XIV. Or that images were then set up in the churches, to the intent the people might worship them. XV. Or that the lay people were then forbidden to read the word of God in their own tongue. XVI. Or that it was then lawful for the priest to pronounce the words of consecration closely, or in private to himself. XVII. Or that the priest had then authority to offer up Christ unto his Father. XVIII. Or to communicate and receive the sacrament for another, as they do. XIX. Or to apply the virtue of Christ's death and passion to any man by the means of the mass. XX. Or that it was then thought a sound doctrine to teach the people, that mass "Ex opere operato" (that is, even for that it is said and done) is able to remove any part of our sin. XXI. Or that any christian man called the sacrament of the Lord, his God. XXII. Or that the people were then taught to believe, that the body of Christ remaineth in the sacrament as long, as the accidents of bread and wine remain there without corruption. XXIII. Or that a mouse, or any other worm, or beast may eat the body of Christ (for so some of our adversaries have said and taught.) XXIV. Or that when Christ said, "Hoc est corpus meum," the word "Hoc" pointed not the bread, but "Individuum vagum," as some of them say. XXV. Or that the accidents, or forms, or shews of bread and wine be the sacrament of Christ's body and blood, and not rather the very bread and wine itself. XXVI. Or that the sacrament is a sign or token of the body

of Christ, that lieth hidden underneath it. that I shall be then content to yeild and subscribe. XXVII. Or that ignorance is the mother and cause of true devotion. The conclusion is,

Archiepisc. Cant.
MATTH. PARKER I.

Anno Christi
1560.

Reg. Angliae
ELIZAB. 2.

The queen's proclamation against defacers of monuments in churches. Fuller's Ch. Hist. lib. IX. pag. 66.

ELIZABETH.

THE queen's majesty understanding, that by the means of sundry people, partly ignorant, partly malicious or covetous, there hath been of late years spoiled and broken certain ancient monuments, some of metal, some of stone, which were erected up as well in churches, as in other public places within this realm, only to shew a memory to the posterity of the persons there buried, or that had been benefactors to the building or dotations of the same churches or public places, and not to nourish any kind of superstition; by which means not only the churches and places remain at this present day spoiled, broken, and ruined, to the offence of all noble and gentle hearts, and the extinguishing of the honourable and good memory of sundry virtuous and noble persons deceased; but also the true understanding of divers families in this realm (who have descended of the blood of the same persons deceased) is thereby so darkened, as the true course of their inheritance may be hereafter interrupted, contrary to justice; besides many other offences, that do hereof ensue, to the slander of such, as either gave, or had charge, in times past, only to deface monuments of idolatry and false fained images, in the churches and abbeys: and therefore, although it be very hard to recover things broken and spoiled, yet both to provide that no such barbarous disorder be hereafter used, and to repair as much of the said monuments, as conveniently may be, her majesty chargeth and commandeth all manner of persons hereafter to forbear the breaking or defacing of any parcel of any monument, or tomb, or grave, or other inscription, and memory of any person deceased, being in any manner of place; or to break any image of kings, princes, or nobles, estates of this realm, or of any other, that have been in times past erected and set up for the only memory of them, to their posterity, in common churches, and not for any religious honour; or to break down and deface any image in glasse windows in any churches, without consent of the ordinary, upon pain, that whosoever herein shall be found to offend, to be committed to the next goal, and there to remain without bail or mainprize, unto the next coming of the justices for the delivery of the said goal, and then to be further punished by fine or imprisonment (besides the restitution or re-edification of the things broken) as to the said justices shall seem meet; using therein the advice of the ordinary, and if need shall be, the advice of her majesty's council in her Starchamber. And for such as be

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already spoiled in any church or chapel now standing, her majesty chargeth and commandeth all archbishops, bishops, and other ordinaries, or ecclesiastical persons, which have authority to visit the churches or chapels, to enquire by presentments of the curates, churchwardens, and certain of the parishioners, what manner of spoils have been made, sithence the beginning of her majesty's reign, of such monuments, and by whom; and if the persons be living, how able they be to repair and re-edify the same; and thereupon to convent the same persons and to enjoin them, under pain of excommunication, to repair the same, by a convenient day, or otherwise (as the cause shall further require) to notify the same to her majesty's council in the Starchamber at Westminster; and if any such be found and convicted thereof not able to repair the same, that then they be enjoined to do open penance two or three times in the church, as to the quality of the crime and party belongeth, under the like pain of excommunication; and if the party, that offended be dead, and the executors of the will left, having sufficient in their hands unadministred, and the offence notorious, the ordinary of the place shall also enjoin them to repair or re-edify the same, upon like or any other convenient pain, to be devised by the said ordinary. And when the offender cannot be presented, if he be in any cathedral or collegiate church, which hath any revenue belonging to it, that is not particularly allotted to the sustentation of any person certain, or otherwise, but that it may remain in the discretion of the governor thereof, to bestow the same upon any other charitable deed, as mending of the highways or such like; her majesty enjoineth and straitly chargeth the governors, and companies of every such church, to employ such parcels of the said sums of money (as any wise may be spared) upon the speedy repair or re-edification of any such monuments so defaced, or spoiled, as agreeable to the original, as the same conveniently may be.

And whereas the covetousness of certain persons is such, that as patrons of churches, or owners of the parsonages impropriated, or by some other colour or pretence they do persuade with the parson and parishioners to take or throw down the bells of the churches and chapels, and the lead of the same, converting the same to their private gain, and to the spoils of the said places, and make such like alterations, as thereby they seek a slanderous desolation of the places of prayer; her majesty (to whom in the right of the crown, by the ordinance of almighty God, and by the laws of this realm,

L 11

the

222 *Queen's proclamation against defacers of monuments.*

the defence and protection of the church belonging to doth expressly forbid any manner of person to take away any bells or lead of any church or chapel, under pain of imprisonment, during her majesty's pleasure, and such further fine for the contempt, as shall be thought meet.

And her majesty chargeth all bishops and ordinaries, to enquire of all such contempts done

from the beginning of her majesty's reign, and to enjoin the persons offending to repair the same within a convenient time; and of their doings in this behalf, to certify her majesty's privy council, or the council in the Star-chamber at Westminster; that order may be taken herein. Given at Windsor the 19th of Sept. the second year of her majesty's reign.

Archiepisc. Cant.
MATTH. PARKER I.

Anno Christi
1560.

Reg. Angliae
ELIZAB. 2.

The archbishop's letter to the dean of the arches about the appeals to that court.
Ex reg. Parker fol. 225. a.

I COMMEND me unto you; and being informed that divers malicious persons abusing as well their bishops, and their officers, as other their ordinaries, do surmise untrue griefs and injuries to be done to them by their bishops, and other ordinaries; and thereupon do appeale and get from you inhibitions and citations, to the great vexation and trouble both of their ordinaries, and also of their neighbours, the queen's majesties poore subjects, and especially, in causes of correction and reformation of their evil lives and manners. For the redresse wherof we will and charge you, that upon your acceptation of any such appeale, you cause an act to be made of yt in the records of your court, specifying all circumstances therof; and withall you take a corporall othe of all such proctors, as shall exhibit the same, that as far as he doth knowe or believe, the grief or cause pretended is true and just, causing also the same proctor to exhibit his proxie, and to make himself partie to prosecute the same cause, as well as to appeale; so that if the partie appealed be cited, and do appere at daie and place appointed, that forth-

with he be dismissed with such charges, as the law in that case doth bear; unless the partie appealing then presentlie do prosecute his appeale with effect; and that in every one of your inhibitions, you do appointe a reasonable daie certain to the partie appealing to prosecute his appeale, whiche if he then do not effectually, you to remitt the cause againe to the first court with charges reasonable, cutting of in all matters, frivolous and frustratorie delays, and finishing all causes with such expedition, as in any wise the lawes may suffer; any stile or usage in any of our courtes used to the contrary notwithstanding. And if thes notes practised shall seeme sufficient remedy for the said abuses, after a tryal I would have you to frame the effecte therof in forme of law, by me to be authorized for a perpetual rule to be observed in your courtes. And thus farre you well; from my manner of Lambeth the 20th. of November, anno M.D.LX.

To Mr. Dr. Yale, my chancellor and judge of my court of audience.

The archbishop of Canterbury's chancellor's licence for marriage in time prohibited.
Ibid. fol. 225. b.

MEMORANDUM, that the 29th daie of November, A.D. M.D.LX. information was given to the most reverend father in God Matthew, archbishop of Canturberie by William Cooke, the quenes majesties clarke of the faculties, and William Lake, clarke to the faculties to the said most reverend father; that Mr. Dr. Yale, chancellor to the said archbishop did by the authoritie of the same archbishop grant licenses to marry in the times by the laws prohibited, which (as the said Cooke and Lake affirmed) the said archbishop could not grante, as archbishop of Cant. but that the same appertayned onlie to the office of the faculties; whereupon, the archbishop the day and yere abovesaid, called before him, at his mannor of Lambeth, the said Dr. Yale his chancellor, and John In-

cent, his principall register, where and when in the presence of the said Cooke and Lake, recordes where shewed by the said Dr. Yale, and John Incent, that the predecessors of the said archbishop, videlicet, Warham, Cranmer, and cardinal Poole, late archbishops of Cant. had from time to time granted licenses to marry in the time prohibited; upon the sight thereof, the said Cooke and Lake had nothing to say or alledge for themselves; whereupon it was for that tyme permitted by the said archbishop that his chancellor, for the tyme being, mighte and should hereafter grante licenses for marriage in the tyme prohibited, by his archiepiscopal authoritie, as before; untill the said Cooke and Lake canne shew further matter to the contrary.

Queen

Archiepisc. Cant.
MATTH. PARKER 2.

Anno Christi
1560.

Reg. Angliae
ELIZAB. 3.

Queen Elizabeth's letter about new lessons in the calendar before the common prayer book. Ex reg. Parker fol. 215. a.

By the queene.

ELIZABETH,

MOSTE reverend father in God, right trustie and right well beloved, right reverend father in God, right trustie and wel beloved, trustie and right well beloved, and trustie and wel beloved; we greet you well. Letting you to understande, that where it is provided by acte of parliament, holden in the first yere of our reigne, that whensoever we shall see cause to take further order in any rite or ceremonie, appointed in the book of common prayer; and our pleasure knowne therein, either to our commissioners for causes ecclesiasticall, or to the metropolitan, that then eftsoones consideration should be had therein; we therefore understanding, that there be in the said book certain chapters for lessons, and other things appointed to be read, which might be supplied with other chapters or parcells of scripture, tending to the hearing of the unlearned or laye people more to their edification; and that furthermore in fundry churches and chappells, where divine service, as prayer, preaching, and ministracion of the sacraments be used, there is such negligence, and lacke of convenient reverence used towards the comelye keeping, and order of the said churches, and especially of the upper parte, called the chancels, that it breedeth no small offence and flaunder, to see and consider, on the one part, the curiositie and costes bestowed by all sortes of men upon there private houses, and the other part, the uncleane or negligent order, or sparekeeping of the house of prayer, by permitting open decaies, and ruines of coveringes, walls, and wyndowes, and by appointing unmeet and unseemly tables, with fowle clothes, for the communion of the sacraments, and generally leavyng the place of prayers desolate of all cleanlynes, and of meet ornaments for such a place, whereby it might be known a place provided for divine service; have thought good to require you our said commissioners, so authorized by our great seale for causes ecclesiasticall, or foure of you, whereof we will you Matthew, archbishop of Cant. Edmund, bishop of London; William Bill, our almoner; and Walter Haddon, one of the masters of our requestes, to be always two, to peruse the order of the said lessons throughout the whole yere, and to cause some new calendars to be imprinted, whereby such chapters or parcells of less edification may be removed, and other more profitable may supply their roomes; and further also to consider, as becometh, the forsaide great disorders in the decaies of churches

and in the unseemly keepinge and order of the chauncells, and such like, and according to your discretions to determyne upon some good and speedy meanes of reformation, and amongst other things to order, that the tables of the commandments may be comlye set, or hung up in the east end of the chauncell, to be not only read for edification, but also to give some comlye ornament and demonstration, that the same is a place of religion and prayer; and diligently to provide, that whatsoever ye shall devise, either in this, or any other like point, to the reformation of this disorder, that the order and reformation be of one sorte and fashion, and that the thinges prescribed may accord in one forme, as nighe as they may; specially, that in all collegiate and cathedral churches, where cost may be more probablie allowed, one manner be used; and in all parish churches also, either the same, or at the least, the like, and one manner throughout our realme: and further, we will that, where we have caused our book of common service to be translated into the Latin tongue, for the use and exercise of such studentes, and other learned in the Latin tongue; we will also that by your wisdom and discretions, ye prescribe some good orders to the collegiate churches, to which we have permitted the use of the divine service and prayer in Latin tongue, in such sorte as ye shall consider to be most mete to be used, in respect of their companies, or of resort of our laye subjectes to the said churches, so that our good purpose in the said translation be not frustrated, nor be corruptlie abused, contrarie to the effect of our meaning. And for the publication of that, which you shall order, we will and require you, the archbishop of Cant. to see the same put in execution throughout your province, and that you, the rest of our commissioners beforementioned, prescribe the same to the archbishop now nominated of York, to be in like manner set forth in that province, and that the alteration of any thing hereby ensuing, be quietly done, without shew of any innovation in the church. And these our letters shall be your sufficient warrant in this behalf. Yeaven under our signet at our palace of Westminster the 22d. day of Januarye, the thirde yere of our reign.

To the most reverend father in God, our right trustie and right well beloved Matthew, archbishop of Canterbury; the right reverend father in God, our right trustie and wel beloved Edmund, byshop of London, and to the rest of our commissioners for causes ecclesiastical.

Archiepisc. Cant.
MATTH. PARKER 2.

Anno Christi
1560.

Reg. Angliae
ELIZAB. 3.

Mandatum archiepiscopi Cant. directum episcopo London. de reformatione calendarii.
Ex reg. Parker fol. 228. a.

MATTHAEUS, permissione divina Cant. archiepiscopus, totius Angliae primas et metropolitanus, venerabili confratri nostro domino Edmundo, eadem permissione London. episcopo, salutem et fraternam in Domino charitatem. Cum serenissima domina nostra Elizabeth, Dei gratia Angliae, Franciae, et Hiberniae regina, fidei defensor, etc. per literas suas missivas datas apud Westm. 22. die mensis Januarii ultimo praeterit. anno regni sui tertio, nobis ac fraternitati vestrae, et aliis commissariis suis ad causas ecclesiasticas decidendas, per literas suas regias patentes, magno sigillo Angliae figillatas, deputatis et assignatis, inter alia dederit in mandatis; quatenus nos ad Dei optimi maximi gloriam illustrand. et ecclesiae Anglicanae honorem, et ad tollend. dissensiones et controversias inter subditos dictae dominae reginae, et consensum verae religionis firmand. juxta tenorem cujusdam statuti in parlamento Angliae, tento apud Westm. anno primo regni ejusdem dominae nostrae reginae editi, quaedam decreta sive ordinationes, correctiones, interpretationes, seu reformationes conciperemus et faceremus; ac nobis Matthaeo, archiepiscopo Cantuar. antedicto, per literas suas missivas firmiter praecipiendo mandaverit, quatenus decreta, ordinationes, correctiones, seu reformationes praedict. in et per totam provinciam nostram Cant. publicari, et executioni demandari faceremus, prout in literis regiis missivis antedictis, quarum tenores pro hic insertis haberi volumus, inter alia latius continetur et describitur: nos vero affectantes ex animo ejusdem dominae nostrae reginae literis et mandatis ob-

temperare, volentesque pro nostro erga suam celsitudinem regiam officio, demandatis et conceditis nobis a sua celsitudine negotiis, omnem nostram curam et solertem adhibere diligentiam, fraternitati vestrae ex parte suae regiae majestatis firmiter praecipiendo mandamus, quatenus receptis praesentibus, cum omni, qua poteritis, celeritate et matura diligentia, ordinationes, correctiones, seu reformationes calendarii, simul cum tabulis praeceptorum Dei, per nos et alios regios commissarios auctoritate et vigore dictarum literarum suarum regiarum missivarum, juxta formam statuti praedicti fact. concept. et stabilitas, quorum exemplaria in papyro impressa vobis praesentibus annexa transmittimus, omnibus et singulis venerabilibus confratribus nostris provinciae nostrae Cant. coepiscopis, et ecclesiae nostrae Christi Cant. suffraganeis publicetis et declaretis, eisque et eorum cuilibet ex parte dominae nostrae reginae firmiter praecipiat; quatenus ipsorum singuli in suis cathedralibus ecclesiis, necnon civitatum et dioec. suarum paroch. ecclesiis ordinationes, seu reformationes calendarii, et tabulas praeceptorum Dei praedict. in omnibus, et per omnia, juxta praescript. literarum regiarum inviolabiliter observari et perimpleri sedulo et accurate current cum effectu, et fieri non postponant; sicque a vobis, frater charissime, in ecclesia vestra cathedrali, ac in et per civitatem et dioec. vestras London. per omnia fieri et perimpleri volumus et mandamus. Dat. in manerio nostro de Lambeth decimo quinto die mensis Februarii, anno Domini M.D.LX. et nostrae consecrationis anno secundo.

Archiepisc. Cant.
MATTH. PARKER 2.

Anno Christi
1561.

Reg. Angliae.
ELIZAB. 3.

Articles agreed upon at the second session in Lambeth the 12th day of April, A. D. 1561, by the most reverend fathers in God, Matthew, lord archbishop of Cant. Thomas, lord archbishop of York, with the assent of their brethren the bishops to the same. Ex reg. Parker.

FIRST, That the articles agreed on at the first session, be ratyfyed, confirmed, and put in execution accordingly.

Item, That readers be once agen by every ordinarie reviewed, and there abilitie and manners examined, and by discretion of the ordinarys to remayne in ther office, or to be removed, and ther wages to be ordered; and the abstinence of mechanical sciences to be also enjoyned by the discretion of the said ordinarys as well to ministers, as to readers.

Item, That the declaration devised for unitye of doctrine, may be enjoyned to be used throughout the realme uniformly.

De non locand. beneficia vel aliquam inde parcellam.

Item, At the institution of every parson, or curate they be examined by othe, upon these articles following.

Of secrete compacts { For alienation of there glebe lands.
For the forgeaving of the patrons tithes.
For pensions newly exacted.
For summes of money and other contributions.

with intimation to them, if they be after founde culpable in any of the same, to be deprived. And for the tyme to come either to receive voluntary bands, "Ad usum reginae vel aliquis hospitalis pauperum de non locando sine consensu ordinarii."

Item, That no curate or minister be permitted to serve without examination, and admission of the ordinarie, or his deputies in writing, having respect to the greatness of the cure, and the meteness of the partie; and that the said ministers, yf they remove from one dioces to another, be by no meanes admitted to serve without testimonie of the diocesan, from whence he cometh, in wrytinge.

Item, That all old service books, grailes, antiphonars, and other be defaced and abolished by order in visitations.

Item, That besides the catechisme for children, which are to be confirmed, an other summewhat longer may be devised for communicants, and the thirde in Laten for scholes.

Item, That prestes deprived, and other private chaplens, be commanded by the ordinaries direction in this great necessity, to minister in cures, or else to be according to law excom-

municated, and the excommunication effectually prosecuted.

Item, It is agreed, that all such marriages, as have been contracted within the Levitical degrees, be dissolved, and namely those, who have married two sisters, one after another, who are by common consent judged to be within the case.

Item, It is agreed to give 20s. to every bishop of Cant. province to the metropolitical church there, so that hit be registred as a composition between us and the church for all demands and requests; and the same presently to be converted to D. Alexander's use for his clayme.

For the readers of
Cambridge and
Oxford.

A contribution to be made by the archbishops and bishops, for learned strangers, reading for stipend, and expense of journey, according to the rate of our revenneues.

Matthaeus Cant.
Edm. London.
Richard. Ely.

Archiepis. Cant.
MATTH. PARKER 2.

Anno Christi
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Reg. Angliae
ELIZAB. 3.

Injunctions to be confessed and subscribed by them, that shall be admitted readers.

IN PRIMIS, I shall not preache or interpret, but only read that, which is appointed by publick authoritie.

I shall read the service appointed playnlie, distinctlie, and audiblie, that all the people may heare and understand.

I shall not minister the sacraments, nor other publick rites of the church, but burie the dead, and purifie women after their childbirthe.

I shall keep the register book according to the injunctions.

I shall use sobrietie in apparel, and especially in the church at common prayers.

I shall move men to quiet and concord, and not geve them cause of offence.

I shall bring into my ordinarie testimonie of my behaviour from the honest of the parishe, where I dwell, within one half yere next following.

I shall give place upon convenient warning, so thought by the ordinarie, if any learned minister shall be placed there, at the sute of the patrone of the parishe.

I shall clayme no more of the fructs sequestred of such, then I shall serve, but as it shall be thought mete to the wisdom of the ordinarie.

I shall daylie at the least reade one chapter of the Old Testament, and one other of the Newe, with good advisement to the increase of my knowledge.

I shall not appoynte in my rome by reason of my absence, or sickness, any other man, but shall leave it to the sute of the parish to the ordinarie, for assignyng some other able man.

I shall not read, but in poorer parishes destitute of incumbents, excepte in the tyme of sickness, or for other good considerations to be allowed by the ordinary.

For deacons.

I shall not openlie intermeddle with any artificers occupations, as covetously to seke a gen thereby, having in ecclesiastical lyving the summe of 20 nobles or above by yere.

Matthaeus Cant.
Edmund London.
Robertus Winton.
Richardus Elien.
Jo. Sarum.

Thomas Ebor.
Johannes Carleolen.
Guliel. Chester.
Guliel. Exon.
Gilb. Bathon. et Wellen.
Richardus Gloucester.

Archiepisc. Cant.
MATTH. PARKER 2.

Anno Christi
1561.

Reg. Angliae
ELIZAB. 3.

The queen's letter to the archbishop of Canterbury, about St. Paul's church.
Ex reg. Parker fol. 231. a.

By the queene.

MOST reverend father in God, we grete you well. Although we knowe there needeth no meanes to provoke you to further the reedifieng of the church of St. Poules, in our citie of London, being the same both in respect of christian religion, and for the honour of our realm, a right necessarie work to be finished, and that with speede, whereby the use of prayer and divine service may be restored, and the fame and renown by such a worke due lie recovered; yet to joyn our authoritie with your devotion and good will, we do authorise you by waye of any manner of usuall or other

good conference with the bishops of your province, and the principal members of the clergy thereof, to devise uppon some contribution of money, and relief to be levied and collected of the same clergy, wherein we meane neither to prescribe to you the manner of levieng, nor the somme to be contributed, but referr the same to your wisdom, and the consideration of so greate a work; and if you shall think meete to be informed therein, upon any special duobte, then to resort to our counsell, who in that behalf shal geve you knowledge and devise of that, which shall be convenient. Yeven under our signet at our mannor of Grenewiche the 24th. of June, the third yere of our reigne.

The archbishop's letter to the bishop of London about the same. Ibidem.

AFTER my right hartie commendations unto your lordship premised; having receaved the quenes majesties lettres, the tenor whereof I send to you herewith, I have thought good for the better accomplishment of her majesties pleasure herein, to require your lordship, that not only upon conference with the clergie of your diocess, you do resolve yourselves upon such reasonable imposition and contribution to be collected and answered of our said clergie, towards the reedifying of the church of Paules, as may seme correspondent to their severall states and prefermentes in lyvinge; but also that you do with all convenient speede signifie the tenor of the quenes majesties said lettres to the residue of the bishops of my province, requiring them to do the like in their severall dioces: doing your lordship further to understand, that I think this rate to be the best, that will be accepted, that the clergie of your diocess of London shold paie and contribute the twentieth parte of their spirituall promotions, and the clergie of everie other diocess of my province, being not in their

first fruites, to pay the thirtieth part, and they, which be in their first fruites, to pay only the fortieth part of their said promotions, according to the rate taxed in the quenes majesties bookes; alwaies provided, that stipendaries, and curates, and all such beneficed men, which by order of the statute paie no first fruites, be not in any wise charged herein, unless it be by your good perswasion; and that aswell your lordship for yourself, as also all other my brethren the bishops of my province, by your commandment, to send me your and their resolute order and answer herein with such convenient speede, as you and they may. And thus far you most hartilie well. From my mannor of Croidon the first day of July, M.D.LXI.

Your loving brother,

MATTHEW Cant.

To the right reverend father in God, the bishop of London yeve thes.

Queen Elizabeth's injunctions for the better government of cathedrals.

John Weever's funeral monuments, p. 184. seq.

By the queene.

THE queen's majesty considering, how the pallaces and houses of cathedrall churches and colledges of this realme have ben both of ancyeant and late tyme buylded and inclosed in severall to susteyne and kepe socyeties of learned men, professing study, and prayer for the edification of the church of God, and so consequently to serve the common weale; and understanding of late, that within the houses hereof as well the chiefe governours, as the prebendaries, students, and members thereof being

married, do keepe particular households with their wives, children, and nurses, whereof no small offence groweth; to th' entent of the founders, and to the quiet and orderly profession of studie and learning within the same, hath thought meete to provide remedie herein, lest by sufferance thereof, the rest of the colledges, specially such as be replenished with young students, as the very roomes and buildings be not answerable for such families of women, and young children, should follow the like example. And therefore expressly willeth and commandeth, that no manner of person, being either

ther the head or member of any colledge or cathedral church within this realme, shall from the time of the notification hereof, in the same colledge have, or be permitted to have within the precinct of any such colledge his wife or other woman to abide and dwell in the same; or to frequent and haunt any lodging within the said colledge, upon pain that whosoever shall do to the contrary, shall forfeite all ecclesi-

astical promotions in any cathedrall or collegiate church within this realme. And for continuance of this order, her majestie willeth, that the transcript hereof shall be written in the booke of the statutes of every such colledge, and shall be reputed as parcell of the statutes of the same. Yeven under our signet at our towne of Ipswiche the ninth of August, in the third yeare of our reigne.

Archiepisc. Cant.
MATTH. PARKER 2.

Anno Christi
1561.

Reg. Angliae
ELIZAB. 3.

The archbishop of Canterbury's letter desiring a certificate about the residing clergy, etc. Ex MS. C. C. C. Cantab. miscell. IV. p. 3.

AFTER my heartie commendations, these shall be to desire and require you to certify me so speedily, as you may, of all and singular parsons, vicars, and curates within your — and how many of them be resident; and where the absents do dwell and remain; how many of them be neither priests nor deacons; noting the names of all such as be learned and able to preach, whether married or unmarried, of what degree, and which of them (being already licensed to preach) do preach according-

ly. And finally how many of them do commonly keep hospitality. And that your certification in that behalf be conceived and made according to the form herein inclosed. And thus trusting of your diligence herein, I wish you well to fare. From my mannor of Lambeth the first of October, A. D. M.D.LXI.

Your loving friend,

MATTHEW Cantuar.

A proclamation made for the reverend usage of all churches and churchyards.
Strype's life of Grindal p. 56.

By the queen.

FOR avoiding of divers outrageous and unseemly behaviours used as well within and near the cathedral church of St. Paul in London, as in divers other churches of this realm; and for the better and speedier reducing of the same churches to the godly uses, for which the same were builded; the queen's majesty of her godly and virtuous disposition straightly chargeth and commandeth, that all laws and good ordinances heretofore provided against fighting and quarrelling in churches and churchyards, shall be duly and with all severity executed, according to the tenor and true meaning of the said laws and ordinances. And further her majesty's pleasure is, that if any person shall make any fray, or draw or put out his hand to any weapon for that purpose, or shoot any hand gun or dagg within the cathedral church of St. Paul, or churchyard adjoyning thereunto, or within the limits of the four chains compassing the same, or within any other church or churchyard, shall receive not only the punishment contained in the statutes for the same provided; but also, being thereof convicted either by the evidence of his fact, testimony of two honest and indifferent persons, or by their own confession before her highness's council in the Star Chamber, or the mayor for the time being within the city of London; and in other places out of the same city, before two justices of the peace of that country or place, where any of the said offences shall be committed, shall suffer imprisonment by the space

of two months, without bail or mainprize; and further pay such fine and forfeiture towards the reparation of the said church of St. Paul, or of other churches, where the same offence shall be committed, as shall be assessed by the said council, mayor, or justices, before whom such conviction shall be, as is aforesaid.

And her majesty further straightly chargeth and commandeth all and singular her subjects, that none of them, during the time of preaching within the said church of Paul's, or churchyard of the same, or of any divinity lecture, reading, or divine service in the same church, or in any other church or churchyard within the realm, shall walk up and down, or use any kind of disturbance, or spend the time in the same about any bargain, or other profane causes; but shall resort unto the common prayer, preaching, or reading, and there quietly and reverentlie behave themselves, as to the duty of christian men appertaineth; or else quietly to avoid out of the said church or place, upon pain of imprisonment, and of such further fine, as is aforesaid: the fine always to be converted to the repair of the church, where the offence shall be committed.

Her majesty also straightly chargeth and commandeth, that all persons do forbear to make, from henceforth, any limitation or appointment, by writing, or otherwise, for the payment of any sum or sums of mony, within the said church of St. Paul's, or in any other church or chapel, where divine service is or shall be used, and the word of God preached; or to carry or recarry any burthen, fardel, or other

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other unseemly thing through the said churches, other than for the repairing, or other necessities of the same churches, upon pain of imprisonment, and further punishment by fine, as is aforesaid.

Provided always, that it shall be lawfull as well to any persons, which at this present stand bound by any former covenant or bond to make any payment of any sum or sums of money in any church, or other place aforesaid, to make tender and payment of the same; as also to every such person and persons, to whom the same is or shall be due, to receive the same in such place, where it is limited to be tendred and paid; unless the parties (which is trusted they will, for good order sake) shall otherwise agree; this proclamation to the contrary notwithstanding.

And for the better execution of this proclamation, her majesty's pleasure and express commandment is, that the mayor, aldermen, sheriffs, and other her officers, and commons of her city of London, and every of them, do not only aid and assist, and help the bishop of the said see and church of St. Paul's, for the time being, and other ecclesiastical officers and ministers of the same, from time to time, in the due execution of the premises, as need shall require; but also, that the said mayor of London shall appoint, every Sunday and other holidays in the year, during such time, and at e-

very time they shall be thought by the bishop or dean of the church requisite, one or two of the aldermen of the said city of London, accompanied with four or six discreet commoners of the said city, and attended upon with a convenient number of the serjeants and officers of the said city; to repair unto the said church of St. Paul, there to see the premises duly executed in all points accordingly.

And if they shall find any person disobedient or offending in any thing, touching the premises, to apprehend and commit him forthwith to prison, there to remain without bail or mainprize, until further order be taken with the said offenders, in form aforesaid. And finally, her majesty straightly chargeth and commandeth all and singular her justices of peace, mayors, sheriffs, bailiffs, constables, headboroughs, churchwardens, and all other her highness's officers, ministers, and subjects; that they, and every of them, from time to time, endeavour themselves, to the best of their powers, to cause and see, that this her majesty's proclamation and express commandment within the limits of their jurisdictions and parishes be put in due and full execution, according to the form abovementioned; as they tender her majesty's special favour, and will avoid the contrary at their peril. Yeven at St. James the 30th. of October, in the third year of the reign of Elizabeth, etc. anno Domini M.D.LXI.

Archiepisc. Cant.
MATTH. PARKER 2.

Anno Christi
1561.

Reg. Angliae
ELIZAB. 3.

Concilium dioecesanum Assaphense celebratum in ecclesia cathedrali Assaphensi a Thoma (Davies) episcopo Assaphen. die Mercurii 12. Novembris. Ex MS. penes Thom. episc. Assaph.

QUIBUS die et loco reverendus pater dominus Thomas, Assaphen. episcopus, convocato coram eo clero decanatus de Rose, statuit, ordinavit, et injunxit eis has ordinationes sequentes, ab eis et eorum quolibet in suis respective ecclesiis observandas.

That every of them have the cathechisme yn the mother tonge yn Welshe red and declared yn ther severall churches every Sondag with the answer made therunto accordingly, and yn the Englyshe tonge at ... on Sondays and holidays.

That no parson, vycar, or curat shall from hensforth marry any persons withyn any of ther churches, onlesse the banes be thre tymes solemnly asked with distinct dayes, except they be sufficyently dispensyd with.

That every parson and vycar do from hensforth kepe resydence and hospytalyty competent, acordynge to the valuacion of ther severall lyvyngs and benefyces, and meyntheyn ther howses and buyldings longyng to the same yn dew and sufficyent reparacion.

That every parson and vycar do exhorte and move the fyke persons, making ther testaments, that every of them do geve to the reparacion of the cathedral church; and also to the pore

mens boxe some part of ther goods.

Item, To certify unto the sayd reverend father the testament of every person dyeing withyn ther severall paryshes withyn one fortentyght next after the partye deceaseth, to the ende the testament may be provyd, or admynistracion grauntyd, and that the goods may be savyd, and not embeselyd.

That every of them shall forthwith avoyd, remove, and put away, or cawse to be put away all and every moniment, fygne, and token of all and every fayned relyques and other supersticyons had withyn ther severall churches, and abolshe ther auters yn the same, or cawse the churchwardens to do the same within eight days next after thes injunctyons gevyn; and if any refuse so to do, that I may be certyfyed therof withyn other eight days, then next and immediatly folowyng.

Item, That every curat yn hys church kepe a trewe and perfecte regester, yn which he shall trewly wryte the names and days of all chrystenyngs, weddyngs, and buryngs, according to the quenes majesties godly procedyngs.

Item, That every parson, vycar, curat, and stypendary prest, being under the degre of a master of arte, shall have and provyde to have yn hys

hys use and occupation the new testament yn Laten and English wyth the paraphrase of Erasmus upon the same, and to learne two chapters of the same yn memory withowt the boke viz. the fyrst to the Romans, and the sixth of John, and every of them do come and reyd the same on thyssyde the Purifycacion of our Lady next.

Item, That forasmuch as testaments are of gret moment, and to the end the form of them may be universally well orderyd, I do monyshe and injoyne, and charge every parson, vycar, and curat to resorte to the regester for to have a good forme of the makynge of the testaments, and also do charge and commaunde every curat to have pen and ynke redy, and to wryte the testaments with ther own hands, and to call a suffycient number of wytnes to the same, to the ende all suspycyon of misformynge of testaments may be avoyded, and a good and godly order kept, and trewth maynteynyd.

Item, That every parson, vycar, and curat yn ther severall churches do name, apoint, and assigne three or four honest, sayge, and discrete persons of their paryshes, which tender the glory of God, the quenes majestys godly proceedings, and the decent order of the peple, to be overseers, who shall see good rule and order yn the church in tyme of dyvnye servyce; and yf any misruled person be, that he may be presentyd by them; and yf any by their discretyon apoyntyd to that purpose, do refuse to do hys dewty theryn, that I be forthwyth certified of the name of such refuser, and that they so apoyntyd, do from tyme to tyme certyfy yf any offenders or myruled persons be found withyn the same churches.

Item, That yn tyme of servyce red or songe yn the church, so often as the name of Jesus beyng owr savyor, shall be reherfed and pronounced, dew reverence be made of all persons yonge and olde with lowlyness of curtesy, and entyndyng of mens heds; for seeing that yn tyme of the letansonge or seyde, and all other godly prayers, the peple shall universally knele upon ther knees, and use themselves devoutly duryng tyme of the same.

Item, That the parsons, vycars, and curats, or one of them yn every of ther churches, do come together on Wenisdays and Frydays, being not holy days, and ther devoutly syng or sey the letany, and exhorte the peple to come

wyth devotion to here the same, with other preyers, at howers and tymes convenient and accostomed.

Item, That no preste, parson, vycar, curat, or mynister shall serve any more than one cure, wythowt very urgent cause; cawse theryn had, and the speciall lycence of the seyde busshope obteynyed.

Item, That all mynisters and reders of the publyke prayers and chapters yn the church do reade the same distynctly, apertly, and leyserly withowt any mumblyng or rashe redyng of the same, wherby the peple may be more edifyed and styrred to better devociions.

Item, That every parson, vycar, curat, and mynister shall use and were decent and semely apparell, that ys to wyt, a short gown, and a hatt to ryde, and a long gown, and a square capp with a tippet, when they come before ther ordynary, to the end the dew reverence may be done to them by other, acordyng to ther vocation to such ministry.

Item, That after the pistill and gospell ys red yn Englyshe yn the church, the same also to be forthwyth there red yn Welshe, aptly and distynctly.

Item, That no person withyn any of your severall paryshes, beyng notably knowen to be yn any malyce or rancor, or owt of the order of charyty with any of his neighbors, shall presume to come to receyve the holy communion, onless the same be fyrst openly reconcylyd before the hole congregation; and hys reconfilyacion taken, he may then be admyttyd to receyve that holy mystery.

Item, Wher heretofore yn sondrie churches yn my dyocs ther hath byn a mynyster callyd the Lady preste, receyving stypende of the paryshe; and now that office ys not necessary, I myndyng not to put any paryshe to more charytis, then heretofore they stode yn chardge with, consyderynge, that the teachyng of children is very necessary, do desyer and also requier all good chrystians in my diocs to pay such ther stypend, accustomed to be payd to the Lady preste, to such scolemaster, as shall be thought mete by me, with the assent of the paryshes; wherby idelness of yowth may be avoyded, and the same kept to learning, and browght upp yn love and fear of God, and knowlege of ther dewties toward the worlde.

Archiepisc. Cant.
MATTH. PARKER 3.

Anno Christi
1561.

Reg. Angliae
ELIZAB. 4.

Breve regium pro hospitalibus et scholis. Ex reg. Parker fol. 236. a.

ELIZABETH, Dei gratia Angliae, Franciae, et Hiberniae regina, fidei defensor, etc. praedilecto nobis ac reverendissimo in Christo patri ac domino, domino Matthaeo, miseratione divina Cant. archiepiscopo, totius Angliae primati et metropolitano, salutem. Volentes certis de causis, quod barones nostri de scaccario per vos certioventur, quot et quae hospitalia, et scholae separatim fuerint infra dioec.

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et jurisdictiones vestras Cant. tam in locis exemptis, quam non exemptis, et per quae nomina eadem hospitalia et scholae vocitentur, et nuncupentur, quibusque in comitat. et villis et parochiis illa et eorum quodlibet situentur et existant, ac quae hospitalia eorundem separatim fundantur et usitantur, et possessiones eorundem expenduntur, ad et pro subsidio et levamine pauperum; denique quae schola, aut scholae earundem

N nn

earundem, vel possessiones et reventiones inde vel earundem alicujus impraesentiarum sustentantur et manutinentur in dioec. vestra praedicta, tam in locis exemptis et non exemptis, una cum nominibus earundem, vel illius uniuscujusque; vobis mandamus, quod tam diligenti indagine scrutatis registris, et aliis archivis vestris praemissa tangentibus, quam aliis viis et modis, quibus maxime videritis expedire, quic-

quid inde inveneritis, praedictis baronibus nostris apud Westm. a die Paschae in unum mensem prox. futur. distincte, luculenter, et aperte, absque omissione aliqua, sub sigillo vestro autentico in pergamento fideliter script. et redact. certificetis, remittentes una cum dicto certificatorio vestro hoc breve. Teste Edwardo Saunders milite, apud Westm. duodecimo die Februarii, anno regni nostri quarto.

Archiepisc. Cant.
MATTH. PARKER 3.

Anno Christi
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ELIZAB. 4.

The archbishop's letter to Mr. Nevenson, commissary of the citie and dioces of Canterbury, about the same.

I COMMEND me unto you; and having received the queens majesties writte (the copy whereof I send you herewith) I will and require you for the better accomplishment of her majesties pleasure therein, that within one moneth at the furdest next after Easter, you do certifie me distinctly in writing, how many several hospitalls and schools ther be within my

diocesis of Cant. and the peculiar jurisdiction within the same, and by what names the same hospitalls and scholes are called, according to the tenor and effect of the said writt. Thus trusting of your diligence, and that you will not faile herein, I wysh you well to fare. From my mannor of Lambeth the 21st day of March, M.D.LXI.

Convocatio cleri provinciae Ebor.

IN hac convocatione ad 24. diem mensis Aprilis continuata in domo capitulari infra ecclesiam metropolitancam Ebor. clerus unum

gratuitum subsidium domino archiepiscopo concessit; uti patet ex reg. Tho. Young, archiep. Ebor.

Archiepisc. Cant.
MATTH. PARKER 3.

Anno Christi
1562.

Reg. Angliae
ELIZAB. 4.

Archiepiscopi Cant. certificatorium baronibus scaccarii de hospitalibus et scholis.
Ex reg. Parker fol. 237. b.

HONORABILIBUS viris dominis baronibus curiae scaccarii illustrissimae in Christo principis ac dominae nostrae, dominae Elizabethae, Dei gratia Angliae Franciae, et Hiberniae reginae, fidei defensoris, etc. et ejusdem curiae thesaurario, ac caeteris in eadem a consiliis, Matthaeus, permissione divina Cant. archiepiscopus, totius Angliae primas et metropolitanus, salutem in Domino sempiternam, et fidem indubiam praesentibus adhiberi. Breve supradictae dominae nostrae reginae praesentibus annex. nuper cum ea, qua decuit, obedientia, reverentia, et subjectione humiliter recepimus exequend. cujus vigore pariter et auctoritate, habita diligenti inquisitione de et super contentis in brevi vestro praedicto, nomina omnium et singulorum hospitalium et scholarum infra dioec. et jurisdictionem nostras Cant. existentium, ac statum eorundem, quatenus per inquisitionem hujusmodi comperire et invenire potuimus, in scheda praesentibus annexa, describi fecimus et mandavimus. Et sic breve regium praedictum quantum in nobis fuit aut est, debite sumus executi. In cujus rei testimonium sigillum nostrum praesentibus apponi fecimus. Dat. in manerio nostro de Lambeth secundo die mensis Maii, anno Domini M.D.LXII, et nostrae consecrationis anno tertio.

Hospitale leproforum sancti Laurentii juxta Cantuar.

It was first founded by one Hugo, the second abbot of St. Augustine in Cant. and by the same first foundation ther was appointid a relief for leperous people. And afterward ther was appointed a woman under the name of a prioress, and certayne poor women called sisters, who ther placed by the abbot of St. Augustine for the time being, having no certainty of the number of the sisters, and they had the revenues of the house, which amounteth to xxxii. l. by the yere; and the same is taxed, and payeth the perpetual tenth. There be at this present only two poor sisters, and do receive only forty shillings by yere, paid by the farmer there. The hospitall is lamentable misused, by reason of a lease made by the prioress and sisters of the said hospitall to one Sir Christopher Hales, knight, which lease, as that is now said, is come to one Mr. Trappes of London.

Hospitale de Harbaldowne prope Cant.

It is of the foundation of the lord archbishop of Cant. and there be placed sixty poor people, men and women, and they have there corrodyes by the lord archbishop, for the tyme

ARCHIEP. CANT. CERTIFICAT. DE HOSPITALIBUS, etc. 231

tyme being, of perpetuall almes. Item, They be not charged with the taxation of the tenthes.

Hospitale sancti Iohannis Baptistae extra muros civitatis Cant.

It is of the like foundation and order, that the hospital of Harbaldown is. Referatur pro ulteriori declaratione ad reverendissimum.

Hospitale pauperum sacerdot. civitatis Cant.

It is of the foundation and patronage of the archdeacon of Cant. It was ordained for the relief of poor and indigente prestes, and to be releved of the revenues of the house. Ther is a master of the said hospitals, videlicet, one Mr. Bacon, a temporal man, who is not resident, nether maketh any dystribution. The hospitall house is marveyulously in ruyn and decaye. It is taxed to the perpetual tenth, and payeth xxii.s. x. d. ob.

Hospitale in civitate Cant. vocat. Maynerd's spittell.

It is of the foundation of the mayor and commynalty of the citie of Canterbury, and they be endowed by ther gifte with as much landes and old houses, as be worth by the yeare five markes, and not above. Ther be placed in the said hospitall seven poore people, men and women, by the mayor and commynalty, and have no other relief besides the said revenues, but only the said five markes, and the almes of the town. They be not taxed to the tenthe.

Hospitale de Estbridge Cantuar.

It is of the foundation of the lord archbishop of Cant. There is a master presented by the lord archbishop, and is instituted and inducted. It is appointed by the foundation, that the same shold relef poor people vagrante, that is to say, to have lodging and fire for a night, two, or three, at the good discretion of the master. Ther are competently furnished at this day eight beddes for poor men in one chamber, and three beddes in another chamber for women. And the people resortinge are releaved according to the foundation in good reasonable order. The said hospitall is taxed to the perpetual tenth, and payeth yerely xlvii.s. x. d. ob.

Hospitale sancti Bartholomaei prope villam Sandwich.

It is of the first foundation of one Sir John Sandwich, knight, and now of the foundation of the mayor and commynaltie of the town of Sandwich. And by the said mayor ther are placed, from time to time, the number of twelve brothers, and four sisters, who are releaved only of the revenues of the said hospitall, amounting to the yerely value by estimation of xl.l. The said hospitall is charitably used to God's glory, and the same surveyed, from tyme to time, by the mayor of Sandwich, and kept in godlie order. It is not taxed to the perpetuall tenth.

Hospitale infra villam Sandwic. vocatum Ellis hospitall.

It is first founded by one Thomas Ellis, and yt is now of the foundation and patronage of the mayor and jurates of the same. Ther be placed, for tyme of life, eight brothers, and four sisters, and they are releaved by almes, and the revenues of the said hospitalls, amounting to xii.l. by yere. The hospitall is very charitablie ordered, and served by the mayor. It is not taxed to the tenth.

Hospitale divi Iohannis, vocatum St. John's house of Sandwich.

This house is charitablie founded, maynteyned, and provided by the mayor and jurates, and they have no possessions, and there are releaved twelve poor people, etc.

Hospitale sancti Bartholomaei prope Hythe.

It is of the foundation of Hamond, bishop of Rochester, in the time of Edward the third. Ther ar according to the foundation thirteen poor people, who are releaved by almes, and by the revenues of the said hospital, amounting to the summe of viii.l. by yere, with the charges. The said hospitall is taxed to the tenth, and payeth vii.s. ii. d.

Hospitale sancti Iohannis de Hith.

It is only founded, ordered, and charitablie maynteyned by the jurates, and commonaltie of the said town, and their are kept, and dayly maynteyned eight beds for the needy poor people, and such as ar meymed in the warrs. The said hospital is endued with so much landes, as do amount to vi.l. by the yere. It is not taxed to the tenth.

Domus pauperum apud Wye, vocat. Le almehouse.

It is without any foundation, permitted, maynteyned, and upholden by Sir Thomas Kempe, knight, onlie upon his charitable zeal; and ther do live certain poor people of almes, etc. It is not charged with any tenth.

Domus leproforum apud Bobbinge.

It is of the gyft and foundation of George Clyfforde, Gent. of charitie. Ther ar harbored none but poor lazer people, who beg for their leving. It is not charged with any tenth.

The declaration of scholes within the dioc. of Canterbury. Ex reg. Parker fol. 239. a.

Furst, Ther is at Canturbury, within the metropolitican church ther, a grammer schoole by the queen's majesties foundation. The scholemaster hath by the yere xx.l. the usher x.l. It is not taxed nor charged with the tenths.

Item, Ther is at Wye a grammer schole, of the queen's majesties foundation, newlie erected, videlicet, fithen the dyssolution of the colledge there, and the scholemaster receiveth yerely xiii.l. vi.s. viii.d. It is not charged with the tenth.

Item,

Item, Ther is a schole erected by the charge of the mayor and commynaltie of the town of Maydstone, and have purchased of the king certayne landes, to that intent, amounting to ix.l. vi.s. viii.d. It is not charged with the tenth.

Item, Ther is a grammer schole at Tenter-

den, erected by certayne parishoners ther, who have of charity enfeofed certain landes to the value of x.l. by the yere. And by the feoffment, the scholemaster is to be elected by the vicar ther for the tyme being. It is not charged with the tenth.

Archiepisc. Cant.
MATTH. PARKER 3.

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Reg. Angliae
ELIZAB. 4.

Convocatio praelatorum et cleri provinciae Cantuar. per breve reginae Elizabethae in domo capitulari ecclesiae S. Pauli London. 12. die mensis Januarii congregata.

Ex regist. convoc.

DIE convocationis tempus antevertente, reverendissimus vices suas commisit Thomae Yale, vicario in spiritualibus generali, Roberto Weston, curiae Cant. officiali, Henrico Jones, et Valentino Dale, LL. doctoribus, conjunctim et divisim, ad interessendum vice et nomine suis in sacra synodo: quorum secundus 12. die mensis Januarii in domo capitulari ecclesiae S. Pauli London. judicialiter, et pro tribunali sedens, convocationem ad diem crastinum continuavit.

Quo die reverendissimus pro more solito in ecclesiam cathedr. S. P. London. introducebatur, ubi post litaniam, hymnumque "Veni creator," in sermone vulgari decantatum, mag. Willelmus Daye concionem Latinam habuit; qua finita, celebrata fuit sacra communio. Deinde in domo capitulari exhibebatur reverendissimo, ab episcopo London. certificatorium super executione mandati, et dominus archiepiscopus Cantuar. brevem quandam orationem eloquentiae plenam habuit ad patres et clerum, per quam, inter alia, opportunitatem reformatarum rerum in ecclesia Anglicana jam oblatam esse aperuit, ac propensos animos tam illustrissimae dominae reginae, quam aliorum magnatum hujus regni, ad hujusmodi reformationem habendam declaravit; hortando, et mandando praelatis, et clero inferioris domus, quatenus ad conventus sui locum sese conferentes, unum virum gravem, doctum, et peritum de gremio suo provideant, et eligant in prolocutorem, sive referendarium; commendans illis maxime decanum ecclesiae cathedr. D. P. London. Alex. Nowell, quem 16. die seq. hujus mensis sibi exhiberi et praesentari jussit.

Quo die in domo capitulari ecclesiae S. P. London. reverendissimus alta et intelligibili voce litaniam dixit, una cum collectis assuetis, ac oratione in synodo provinciali dicenda noviter (ut apparuit) edita, respondentibus aliis episcopis, ac praelatis, et clero, ac populo astantibus. Finitis precibus, ac clero ad locum conventus sui se conferente, praefatus reverendissimus pro tribunali sedens, post interval- lum temporis, praelatos et clerum domus inferioris ad se accersiri jussit, qui ei exhiberi, et sisti fecerunt Alex. Nowell in prolocutorem electum, quem Gabr. Goodman, decanus Westmon. et Thomas Sampson, decanus Oxon. medium inter se ductum, vice totius cleri, prae-

missa oratione brevi Latina ab eodem mag. Gabriele Goodman, personam electam, ac ejus virtutes, et animi dotes complectente, exhibuerunt. Qua finita, idem prolocutor per aliam orationem non inelegantem, se variis de causis ad hujusmodi munus obeundum inidoneum esse declaravit. Sed tandem ne opus tam pium efugere videatur, hujusmodi provinciam in se lubens acceptare promisit. Et tunc habito inter dictum reverendissimum patrem et confratres suos tractatu de idoneitate dicti prolocutoris, omnes unanimiter et concorditer ipsum mag. Nowell ad dictum officium prolocutoris obeundum maxime idoneum esse asseruerunt, et affirmarunt. Unde reverendissimus, cum patrum unanimi consensu, electionem hujusmodi de persona tam digni viri factam venusta oratione approbavit et confirmavit. Et tunc dimisso clero inferioris domus, reverendissimus rogavit patres, quod unusquisque eorum citra prox. sessionem excogitare velit ea, quae in eorum separalibus dioecesibus reformatione indigeant, ac in prox. sessione in ecclesia collegiata D. Petri Westm. habenda proponere dignaretur.

Fuit haec die 19. mensis Januarii, ubi dictis primitus, et publice recitatis precibus, decanus ecclesiae collegiatae D. Petri Westm. protestationem vice sua ac totius capituli exhibuit de privilegiis ecclesiae suae; cui reverendissimus pro se et toto clero provinciae suae respondit, quod licet pro maturiori et feliciori expeditione negotiorum, etc. ut antea. Et tunc habita inter reverendissimum et episcopos communicatione, sive disputatione, de quibusdam articulis ad christianam fidem facientibus, tandem dictus reverendissimus accersiri jussit ad se prolocutorem domus inferioris, qui cum sex aliis proposuit et asseruit: quod quidam de dicta domo exhibuerant quasdam diversas schedas de rebus reformatandis per eos respective excogitatas, et in scripta redactas; quae quidem schedae de communi consensu traditae sunt quibusdam viris gravioribus et doctioribus de coetu dictae domus inferioris ad hoc electis, perspiciendae et considerandae. Quibus sic electis (ut asseruit) assignatum est, ut hujusmodi schedas in capitula redigant, ac in proxima sessione exhibeant coram eodem prolocutore. Et ulterius proposuit, quod articuli in synodo Londinensi tempore nuper regis Edwardi sexti editi, traditi

sint quibusdam aliis viris ex coetu dictae domus inferioris ad hoc etiam electis, ut eos diligenter perspiciant, examinent, et considerent, ac prout eis visum fuerit, corrigant, et reforment, ac in proxima sessione etiam exhibeant. Et tunc reverendissimus huiusmodi negotia per dictum prolocutorem, et clerum incepta approbavit, ac in eisdem erga prox. sessionem juxta eorum determinationem procedere voluit et mandavit.

De hisce articulis sacrosanctam Christi religi-

onem concernentibus 20, 22, 25, 27. diebus mensis Januarii tam in ecclesia collegiata D. Petri Westm. quam in ecclesiae D. Pauli London. domo capitulari praemissis semper precibus, tractatum fuit, donec 29. die ejusdem mensis tandem super quibusdam articulis orthodoxae fidei inter episcopos, quorum nomina eis subscribuntur, unanimiter convenit: quorum quidam articulorum tenores sequuntur, et sunt tales,

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MATTH. PARKER 3.

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ELIZAB. 5.

Articuli, de quibus convenit inter archiepiscopos, et episcopos utriusque provinciae, et clerum universum in synodo Londinensi, anno M.D.LXII. secundum computationem ecclesiae Auglicanae, ad tollendam opinionum dissentionem, et consensum in vera religione firmandum. Editi auctoritate serenissimae reginae.

I. *De fide in sacrosanctam Trinitatem.*

UNUS est vivus, et verus Deus, aeternus, incorporeus, impartibilis, impassibilis, immensae potentiae, sapientiae, ac bonitatis, creator, et conservator omnium, tum visibilium, tum invisibilium. Et in unitate hujus divinae naturae tres sunt personae ejusdem essentiae, potentiae, ac aeternitatis; Pater, Filius, et Spiritus Sanctus.

II. *De verbo, sive filio Dei, qui verus homo factus est.*

Filius, qui est verbum Patris, ab aeterno a Patre genitus, verus et aeternus Deus, ac Patri consubstantialis, in utero beatae virginis, ex illius substantia naturam humanam assumpsit; ita ut duae naturae, divina et humana, integre atque perfecte unitate personae fuerint inseparabiliter conjunctae, ex quibus est unus Christus, verus Deus et verus homo, qui vere passus est, crucifixus, mortuus, et sepultus, ut Patrem nobis reconciliaret, essetque hostia, non tantum pro culpa originis, verum etiam pro omnibus actualibus hominum peccatis.

III. *De descensu Christi ad inferos.*

Quemadmodum Christus pro nobis mortuus est, et sepultus, ita etiam credendus ad inferos descendisse.

IV. *De resurrectione Christi.*

Christus vere a mortuis resurrexit, suumque corpus cum carne, ossibus, omnibusque ad integritatem humanae naturae pertinentibus, recepit; cum quibus in caelum ascendit, ibique residet, quoad extremo die ad judicandos homines reversurus sit.

V. *De Spiritu Sancto.*

Spiritus Sanctus a Patre et Filio procedens ejusdem est cum Patre, et Filio essentiae, majestatis et gloriae, verus ac aeternus Deus.

VI. *De divinis scripturis, quod sufficiant ad salutem.*

Scriptura sacra continet omnia, quae ad salutem sunt necessaria, ita ut, quicquid in ea

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nec legitur, neque inde probari potest, non sit a quoquam exigendum, ut tanquam articulus fidei credatur, aut ad salutis necessitatem requiri putetur.

Sacrae scripturae nomine, eos canonicos libros Veteris, et Novi Testamenti intelligimus, de quorum auctoritate in ecclesia nunquam dubitatum est.

De nominibus, et numero librorum sacrae canonicae scripturae Veteris Testamenti.

Genesis.	Secundus liber Paralipomen.
Exodus.	Primus liber Esdrae.
Leviticus.	Secundus liber Esdrae.
Numeri.	Liber Hester.
Duteronomium.	Liber Job.
Josuae.	Psalmi.
Judicum.	Proverbia.
Ruth.	Ecclesiastes vel Con-
Prior liber Samuelis.	cionator.
Secundus liber Samuelis.	Cantica Solomonis.
Prior liber Regum.	4. Prophetiae majores.
Secundus liber Regum.	12. Prophetiae minores.
Prior liber Paralipom.	

Alios autem libros (ut ait Hieronymus) legit quidem ecclesia, ad exempla vitae, et formandos mores; illos tamen ad dogmata confirmanda non adhibet, ut sunt:

Tertius liber Esdrae.	Historiae Susannae,
Quartus liber Esdrae.	De Bel et Dracone.
Liber Tobiae.	Oratio Manasses.
Liber Judith.	Prior liber Machabeorum.
Reliquum libri Hester.	Secundus liber Machabeorum.
Liber Sapientiae.	
Liber Jesu filii Sirach.	
Baruch propheta.	
Canticum trium puerorum.	

Novi Testamenti omnes libros (ut vulgo recepti sunt) recipimus, et habemus pro canonicis.

VII. *De Veteri Testamento.*

Testamentum Vetus Novo contrarium non est, quandoquidem tam in Veteri, quam in Novo, per Christum, qui unicus est mediator Dei, et hominum, Deus et homo, aeterna vita hu-

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mano

mano generi est proposita. Quare male sentiunt, qui veteres tantum in promissiones temporarias sperasse consingunt. Quanquam lex a Deo data per Moysen (quoad ceremonias et ritus) christianos non astringat, neque civilia ejus praecepta in aliqua republica necessario recipi debeant; nihilominus tamen ab obedientia mandatorum, quae moralia vocantur, nullus (quantumvis christianus) est solutus.

VIII. *De tribus symbolis.*

Symbola tria Nicaenum, Athanasii, et quod vulgo Apostolorum appellatur, omnino recipienda sunt, et credenda, nam firmissimis scripturarum testimoniis probari possunt.

IX. *De peccato originali.*

Peccatum originis non est (ut fabulantur Pelagiani) in imitatione Adami situm, sed est vitium, et depravatio naturae cujuslibet hominis ex Adamo naturaliter propagati; qua fit, ut ab originali justitia quam longissime distet, ad malum sua natura propendeat, et caro semper adversus spiritum concupiscat, unde in unoquoque nascentium, iram Dei, atque damnationem meretur. Manet etiam in renatis haec naturae depravatio; qua fit ut affectus carnis, Graece *φρόνημα σαρκός* (quod alii sapientiam, alii sensum, alii affectum, alii studium carnis interpretantur) legi Dei non subjiciatur. Et quanquam renatis et credentibus, nulla propter Christum est condemnatio; peccati tamen in sese rationem habere concupiscentiam, fatetur apostolus.

X. *De libero arbitrio.*

Ea est hominis, post lapsum Adae, conditio, ut sese naturalibus suis viribus, et bonis operibus, ad fidem, et invocationem Dei convertere, ac praeparare non possit. Quare absque gratia Dei, quae per Christum est, nos praeviente, ut velimus, et cooperante, dum volumus, ad pietatis opera facienda, quae Deo grata sunt, et accepta, nihil valemus.

XI. *De hominis justificatione.*

Tantum propter meritum Domini, ac servatoris nostri Jesu Christi, per fidem, non propter opera, et merita nostra, justi coram Deo reputamur. Quare sola fide nos justificari doctrina est saluberrima, ac consolationis plenissima, ut in homilia de justificatione hominis, fufius explicatur.

XII. *De bonis operibus.*

Bona opera, quae sunt fructus fidei, et justificatos sequuntur, quanquam peccata nostra expiare, et divini judicii severitatem ferre non possunt; Deo tamen grata sunt et accepta in Christo, atque ex vera et viva fide necessario profluunt; ut plane ex illis, aequae fides viva cognosci possit, atque arbor ex fructu judicari.

XIII. *De operibus ante justificationem.*

Opera, quae fiunt ante gratiam Christi, et Spiritus ejus afflatum, cum ex fide Jesu Christi non prodeant, minime Deo grata sunt, neque gratiam (ut multi vocant) de congruo merentur.

Immo cum non sunt facta, ut Deus illa fieri voluit et praecepit, peccati rationem habere non dubitamus.

XIV. *De operibus supererogationis.*

Opera, quae supererogationis appellant, non possunt sine arrogantia, et impietate praedicari. Nam illis declarant homines, non tantum se Deo reddere, quae tenentur, sed plus in ejus gratiam facere, quam deberent; cum aperte Christus dicat: Cum feceritis omnia, quaecunque praecepta sunt vobis, dicite, servi inutiles sumus.

XV. *De Christo, qui solus est sine peccato.*

Christus in nostrae naturae veritate per omnia similis factus est nobis, excepto peccato, a quo prorsus erat immunis tum in carne, tum in spiritu. Venit ut agnus, absque macula, qui mundi peccata per immolationem sui semel factam, tolleretur, et peccatum (ut inquit Johannes) in eo non erat; sed nos reliqui etiam baptizati, et in Christo regenerati, in multis tamen offendimus omnes. Et si dixerimus, quia peccatum non habemus, nos ipsos seducimus, et veritas in nobis non est.

XVI. *De peccato post baptismum.*

Non omne peccatum mortale post baptismum voluntarie perpetratum, est peccatum in Spiritum Sanctum, et irremissibile. Proinde lapsis a baptismo in peccata locus poenitentiae non est negandus: post acceptum Spiritum Sanctum possumus a gratia data recedere, atque peccare, denuoque per gratiam Dei resurgere, ac resipiscere; ideoque illi damnandi sunt, qui se, quam diu hic vivant, amplius non posse peccare affirmant, aut vere resipiscentibus veniae locum denegant.

XVII. *De praedestinatione et electione.*

Praedestinatio ad vitam, est aeternum Dei propositum, quo ante jacta mundi fundamenta, suo consilio, nobis quidem occulto constanter decrevit, eos, quos in Christo elegit ex hominum genere, a maledicto et exitio liberare, atque, ut vasa in honorem efficta, per Christum, ad aeternam salutem adducere. Unde qui tam praeclaro Dei beneficio sunt donati, illi, Spiritu ejus opportuno tempore operante secundum propositum ejus, vocantur, vocationi per gratiam parent, justificantur gratis, adoptantur in filios Dei, unigeniti ejus Jesu Christi imagini efficiuntur conformes, in bonis operibus sancte ambulant, et demum ex Dei misericordia pertingunt ad sempiternam felicitatem.

Quemadmodum praedestinationis et electionis nostrae in Christo pia consideratio, dulcis, suavis, et ineffabilis consolationis plena est, vere piis, et his, qui sentiunt in se vim Spiritus Christi, facta carnis, et membra, quae adhuc sunt super terram, mortificantem, animumque ad caelestia, et superna rapientem; tum quia fidem nostram de aeterna salute consequenda per Christum plurimum stabilit, atque confirmat, tum quia amorem nostrum in Deum vehementer accendit. Ita hominibus curiosis, carnalibus,

et Spiritu Christi destitutis, ob oculos perpetuo versari praedestinationis Dei sententiam, perniciosissimum est praecipitium, unde illos diabolus protrudit, vel in desperationem, vel in aequae perniciosam impurissimae vitae securitatem: deinde promissiones divinas sic amplecti oportet, ut nobis in sacris literis generaliter propositae sunt; et Dei voluntas in nostris actionibus ea sequenda est, quam in verbo Dei habemus diferte revelatam.

XVIII. *De speranda aeterna salute tantum in nomine Christi.*

Sunt et illi anathematizandi, qui dicere audent, unumquemque in lege aut secta quam proficitur esse servandum, modo juxta illam, et lumen naturae accurate vixerit; cum sacrae literae tantum Jesu Christi nomen praedicent, in quo salvos fieri homines oporteat.

XIX. *De ecclesia.*

Ecclesia Christi visibilis est coetus fidelium, in quo verbum Dei purum praedicatur, et sacramenta, quoad ea, quae necessario exigantur, juxta Christi institutum recte administrantur. Sicut erravit ecclesia Hierosolymitana, Alexandrina, et Antiochena; ita et erravit ecclesia Romana, non solum quoad agenda, et caeremoniarum ritus, verum in his etiam, quae credenda sunt.

XX. *De ecclesiae auctoritate.*

Habet ecclesia ritus five caeremonias statuendi jus, et in fidei controversiis auctoritatem; quamvis ecclesiae non licet quicquam instituere, quod verbo Dei scripto adversetur; nec unum scripturae locum sic exponere potest, ut alteri contradicat. Quare licet ecclesia sit divinorum librorum testis, et conservatrix; attamen ut adversus eos nihil decernere, ita praeter illos, nihil credendum de necessitate salutis debet obtrudere.

XXI. *De auctoritate conciliorum generalium.*

Generalia concilia sine jussu, et voluntate principum congregari non possunt, et ubi convenerint, quia ex hominibus constant, qui non omnes Spiritu, et verbo Dei reguntur, et errare possunt, et interdum errant etiam in his, quae ad Deum pertinent; ideoque quae ab illis instituuntur, ut ad salutem necessaria, neque robur habent, neque auctoritatem, nisi ostendi possint e sacris literis esse desumpta.

XXII. *De purgatorio.*

Doctrina Romanensium de purgatorio, de indulgentiis, de veneratione, et adoratione tum imaginum, tum reliquiarum, necnon de invocatione sanctorum, res est inutilis, inaniter conficta, et nullis scripturarum testimoniis innitur: imo verbo Dei contradicit.

XXIII. *De ministrando in ecclesia.*

Non licet cuiquam sumere sibi munus publice praedicandi, aut administrandi sacramenta in ecclesia, nisi prius fuerit ad haec obeunda legitime vocatus et missus. Atque illos le-

gitime vocatos et missos existimare debemus, qui per homines, quibus potestas vocandi ministrorum, atque mittendi in vineam Domini publice concessa est in ecclesia, cooptati fuerint, et asciti in hoc opus.

XXIV. *De loquendo in ecclesia lingua, quam populus intelligit.*

Lingua populo non intellecta, publicas in ecclesia preces peragere, aut sacramenta administrare, verbo Dei, et primitivae ecclesiae consuetudini plane repugnat.

XXV. *De sacramentis.*

Sacramenta a Christo instituta, non tantum sunt notae professionis christianorum, sed certa quaedam potius testimonia, et efficacia signa gratiae atque bonae in nos voluntatis Dei, per quae invisibiliter ipse in nos operatur, nostramque fidem in se non solum excitat, verum etiam confirmat.

Duo a Christo Domino nostro in evangelio instituta sunt sacramenta; scilicet baptisumus, et coena Domini.

Quinque illa vulgo nominata sacramenta; scilicet confirmatio, poenitentia, ordo, matrimonium, et extrema unctio, pro sacramentis evangelicis habenda non sunt, ut quae partim a prava apostolorum imitatione profluxerunt, partim vitae status sunt in scripturis quidem probati; sed sacramentorum eandem cum baptismo, et coena Domini rationem non habentes, ut quae signum aliquod visibile, seu caeremoniam, a Deo institutum, non habeant.

Sacramenta non in hoc instituta sunt a Christo, ut spectarentur, aut circumferrentur, sed ut rite illis uteremur; et in his duntaxat, qui digni percipiunt, salutarem habent effectum; qui vero indigne percipiunt, damnationem (ut inquit Paulus) sibiipsis acquirunt.

XXVI. *De vi institutionum divinarum, quod eam non tollat malitia ministrorum.*

Quamvis in ecclesia visibili, bonis mali semper sint admixti, atque interdum ministerio verbi, et sacramentorum administrationi praesint; tamen cum non suo, sed Christi nomine agant, ejusque mandato, et auctoritate ministrent, illorum ministerio uti licet, cum in verbo Dei audiendo, tum in sacramentis percipiendis. Neque per illorum malitiam effectus institutorum Christi tollitur, aut gratia donorum Dei minuitur, quoad eos, qui fide, et rite sibi oblata percipiunt, quae propter institutionem Christi, et promissionem efficacia sunt, licet per malos administrentur.

Ad ecclesiae tamen disciplinam pertinet, ut in malos ministros inquiratur, accusenturque ab his, qui eorum flagitia noverint, atque tandem justo convicti judicio deponantur.

XXVII. *De baptismo.*

Baptisumus non est tantum professionis signum, ac discriminis nota, qua christiani a non christianis discernantur; sed etiam est signum regenerationis, per quod, tanquam per instrumentum, recte baptismum suscipientes, ecclesiae inferuntur,

tur, promissiones de remissione peccatorum, atque adoptione nostra in filios Dei per Spiritum Sanctum visibiliter obsignantur, fides confirmatur, et vi divinae invocationis gratia augetur.

Baptismus parvulorum omnino in ecclesia retinendus est, ut qui cum Christi institutione optime congruat.

XXVIII. De coena Domini.

Coena Domini non est tantum signum mutuae benevolentiae christianorum inter sese, verum potius est sacramentum nostrae per mortem Christi redemptionis.

Atque adeo rite, digne, et cum fide sumentibus, panis, quem frangimus, est communicatio corporis Christi; similiter poculum benedictionis est communicatio sanguinis Christi.

Panis et vini transubstantiatio in eucharistia ex sacris literis probari non potest; sed apertis scripturae verbis adversatur, sacramenti naturam evertit, et multarum superstitionum dedit occasionem.

Corpus Christi datur, accipitur, et manducatur in coena, tantum caelesti, et spiritali ratione. Medium autem, quo corpus Christi accipitur, et manducatur in coena, fides est.

Sacramentum eucharistiae ex institutione Christi non servabatur, circumferebatur, elevabatur, nec adorabatur.

XXIX. De impiis, qui Christi corpus non manducant in usu eucharistiae.

Impii, et fide viva destituti, licet carnaliter, et visibiliter (ut Augustinus loquitur) corporis, et sanguinis Christi sacramentum dentibus premant; nullo tamen modo Christi participes efficiuntur. Sed potius tantae rei sacramentum, seu symbolum ad iudicium sibi manducant et bibunt.

XXX. De utraque specie.

Calix Domini laicis non est denegandus; utraque enim pars dominici sacramenti, ex Christi institutione, et praecepto, omnibus christianis ex aequo administrari debet.

XXXI. De unica Christi oblatione in cruce perfecta.

Oblatio Christi semel facta, perfecta est redemptio, propitiatio, et satisfactio pro omnibus peccatis totius mundi, tam originalibus, quam actualibus. Neque praeter illam unicam, est ulla alia pro peccatis expiatio, unde missarum sacrificia, quibus, vulgo dicebatur, sacerdotem offerre Christum in remissionem poenae, aut culpae, pro vivis et defunctis, blasphema figmenta sunt, et perniciosae imposturae.

XXXII. De conjugio sacerdotum.

Episcopis, presbyteris, et diaconis nullo mandato divino praeceptum est, ut aut coelibatum voveant, aut a matrimonio abstineant. Licet igitur etiam illis, ut caeteris omnibus christianis, ubi hoc ad pietatem magis facere judicaverint, pro suo arbitratu matrimonium contrahere.

XXXIII. De excommunicatis vitandis.

Qui per publicam ecclesiae denunciationem rite ab unitate ecclesiae praecisus est, et excommunicatus, is ab universa fidelium multitudine (donec per poenitentiam publice reconciliatus fuerit arbitrio iudicis competentis) habendus est tanquam ethnicus et publicanus.

XXXIV. De traditionibus ecclesiasticis.

Traditiones atque ceremonias easdem, non omnino necessarium est esse ubique, aut prorsus consimiles. Nam ut variae semper fuerunt, et mutari possunt, pro regionum, temporum, et morum diversitate, modo nihil contra verbum Dei instituitur.

Traditiones et ceremonias ecclesiasticas, quae cum verbo Dei non pugnant, et sunt auctoritate publica institutae, atque probatae, quisquis privato consilio volens, et data opera, publice violaverit, is, ut qui peccat in publicum ordinem ecclesiae, quique laedit auctoritatem magistratus, et qui infirmorum fratrum conscientias vulnerat, publice, ut caeteri timeant, arguendus est.

Quaelibet ecclesia particularis, five nationalis auctoritatem habet instituendi, mutandi, aut abrogandi ceremonias, aut ritus ecclesiasticos, humana tantum auctoritate institutos, modo omnia ad aedificationem fiant.

XXXV. De homiliis.

Tomus secundus homiliarum, quarum singulos titulos huic articulo subjunximus, continet piam et salutarem doctrinam, et his temporibus necessariam, non minus quam prior tomus homiliarum, quae editae sunt tempore Edwardi sexti; itaque eas in ecclesiis per ministros diligenter, et clare, ut a populo intelligi possint, recitandas esse judicavimus.

De nominibus homiliarum.

Of the right use of the church.	tion of God's word.
Against peril of idolatry.	Of alms doing.
Of repairing and keeping clean of churches.	Of the nativity of Christ.
Of good works.	Of the passion of Christ.
First of fasting.	Of the resurrection of Christ.
Against gluttony, and drunkenness.	Of the worthy receiving of the sacrament of the body and blood of Christ.
Against excess of apparel.	Of the gifts of the Holy Ghost.
Of prayer.	For the Rogation days.
Of the place and time of prayer.	Of the state of matrimony.
That common prayers and sacraments ought to be ministred in a known tongue.	Of repentance.
Of the reverend estimation of God's word.	Against idleness.
	Against rebellion.

XXXVI. De episcoporum et ministrorum consecratione.

Libellus de consecratione archiepiscoporum, et episcoporum, et de ordinatione presbyterorum,

et

et diaconorum, editus nuper temporibus Edwardi VI. et auctoritate parlamenti illis ipsis temporibus confirmatus, omnia ad ejusmodi consecrationem, et ordinationem necessaria continet, et nihil habet, quod ex se fit, aut superstitiosum, aut impium; itaque quicumque juxta ritus illius libri consecrati, aut ordinati sunt, ab anno secundo praedicto regis Edwardi, usque ad hoc tempus, aut in posterum juxta eosdem ritus consecrabuntur, aut ordinabuntur, rite, atque ordinate, et legitime statuimus esse, et fore consecratos et ordinatos.

XXXVII. De civilibus magistratibus.

Regia majestas in hoc Angliae regno, ac caeteris ejus dominiis summam habet potestatem, ad quam omnium statuum hujus regni, sive illi ecclesiastici sint, sive civiles, in omnibus causis suprema gubernatio pertinet, et nulli externae jurisdictioni est subiecta, nec esse debet.

Cum regiae majestati summam gubernationem tribuimus, quibus titulis intelligimus, animos quorundam calumniatorum offendi, non damus regibus nostris, aut verbi Dei, aut sacramentorum administrationem; quod etiam inunctiones ab Elizabetha, regina nostra, nuper editae, apertissime testantur; sed eam tantum praerogativam, quam in sacris scripturis a Deo ipso omnibus piis principibus videmus semper fuisse attributam; hoc est, ut omnes status, atque ordines fidei suae a Deo commissos, sive illi ecclesiastici sint, sive civiles, in officio contineant, et contumaces, et delinquentes gladio civili coerceant.

Romanus pontifex nullam habet jurisdictionem in hoc regno Angliae.

Leges regni possunt christianos propter capitalia, et gravia crimina morte punire.

Christianis licet, ex mandato magistratus, arma portare, et justa bella administrare.

XXXVIII. De illicita bonorum communicatione.

Facultates et bona christianorum non sunt communia, quoad jus et possessionem, ut quidem Anabaptistae falso jactant; debet tamen quisque de his, quae possidet, pro facultatum ratione pauperibus eleemosynas benigne distribuere.

XXXIX. De jurejurando.

Quemadmodum juramentum vanum, et temerarium a Domino nostro Jesu Christo, et apostolo ejus Jacobo, christianis hominibus interdictum esse fatemur; ita christianorum religionem minime prohibere censemus, quin jubente magistratu in causa fidei, et charitatis, jurare liceat; modo id fiat juxta prophetarum doctrinam, in justitia, in judicio, et veritate.

Hos articulos fidei christianae, continentes in universum 19. paginas, in autographo, quod asservatur apud reverendissimum in Christo patrem D. Matthaeum, Cant. archiepiscopum;

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totius Angliae primatem et metropolitanum; et in prima continet articulos 4. et lineas 34. etc. nos archiepiscopi, et episcopi utriusque provinciae regni Angliae, in sacra synodo provinciali legitime congregati, recipimus et profite-mur, et ut veros, atque orthodoxos, manuum nostrarum subscriptionibus approbamus 29. die mensis Jan. A. D. secundum computationem ecclesiae Anglicanae, M.D.LXII. et illustrissimae principis Elizabethae — quinto.

Matthaeus Cantuar.	Thomas Ebor.
Edmund. London.	Ja. Duresme.
Robert. Winton.	Willelmus Cestren-
W. Cicestre.	sis.
Jo. Hereford.	
Richardus Elien.	
Edwinus Wigorn.	
Rolandus Bangor.	
Nicolaus Lincoln.	
Jo. Sarisburien.	
R. Meneven.	
Edmundus Roffen.	
Gilb. Bathon. et Wellen.	
Thomas Covent. et Lichfield.	
W. Exon.	
Johannes Norwicen.	
Edmund. Petriburgen.	
Thomas Assaphen.	
Rich. Gloucestren.	

Hi, quorum nomina sequuntur, propriis manibus subscripserunt libello articulorum a reverendissimo archiepiscopo Cant. et episcopis provinciae Cant. ad inferiorem domum convocationis transmissio 5. Februarii, M.D.LXII.

Stephanus Nevinsón, procurat. cleri Cant. subscripsi propria manu.

Richardus Besely scripsi propria manu, procurat. cleri Cant.

Johannes Bridgwater manu propria scripsi.

Johannes Calverley manu propria scripsi, unus procur. cleri Roffen. dioec.

Thomas Watts, procurat. capituli sancti Pauli London. et archid. Midd.

Jo. Mulleyns, archid. London. ac unus procur. cleri dioec. ejusdem.

Thomas Colus, archid. Essexiae.

Johannes Pullan, archid. Colcestriae.

David Kempe, archid. de S. Albano.

Jacobus Catthill, procur. cleri London. et Oxon. capituli.

Gulielmus Latimerus, arch. Westm. et decanus Petriburg. et procurator capituli ejusdem ecclesiae.

Richardus Reeve, procur. capituli Westm.

Gabriel Goodman, decanus Westmon.

Johannes Watson, arch. Surrey.

Johannes Ebden, procurat. Winton.

Ra. Cottrell, procurat. Surr.

Thomas Lancaster, thesaurarius Surren.

Richardus Chandler, archid. Surrensis.

Jacobus Procter, procur. cleri Surrensis.

Hugo Turnbull, decanus Cicestr.

Willelmus Bradbridge, cancellarius Cicestr.

P p p Thomas

Thomas Spenser, archid. Cicestr.
 Edmundus Westonus, archidiac. Lewen.
 Percivallus Wiburn, procurat. ecclesiae cathedralis Roffen.
 Johannes Cottrel, archidiac. Wellen.
 Richardus Guin, procurat. cleri Bristol.
 Jacobus Bond, archidiac. Bathon.
 Justinianus Lancastrie, arch. Taunton.
 Gualterus Boverus, procurat. cleri Somersettenf.
 Thomas Corebaeus, procur. cleri Cicestren.
 Stephanus Gesley, archidiaconus Winton.
 Robertus Longher, archid. Totton. et procurat. cleri Exon.
 Richardus Tremayne, procurat. cleri Exon.
 Thomas White, arch. Berks.
 Robertus Wisdom, arch. Elien.
 Gregorius Garthe, procurat. pro cap. Ely.
 Johannes Bell, et Thomas Ithell, pro clero dioec. Elien. procuratores.
 Thomas Sampson, dec. ecclesiae Christi Oxon.
 Johannes Salisbury, decanus Norwicen.
 Tho. Roberts, procurator cleri Norwicen.
 Johannes Walkerus, procur. cleri Suffol.
 James Lawrence, archidiac. Wilts.
 Johannes Aelinerus, archidiac. Lincoln.
 Will. Todd, archidiac. Bedford.
 Johannes Longlond, archidiac. Buckingham.
 Robert Beaumont, archidiac. Huntingdon.
 Thomas Godwin, proc. cleri Lincoln.
 Johannes Kenall, archid. Oxon. et unus procur. cleri Oxon.
 Guido Geton, archidiac. Glocestren.
 Georgius Canage, procurat. cleri Glocestr.
 Antonius Lemton, procurat. cleri Petriburg. et pro archidiac. Northampt.
 Willelmus Fluyd, procurat. cleri Petriburg.
 Johannes Pedder, decanus ecclesiae Wigorn.
 Robertus Duys, procurat. cleri Wigorn.
 Tho. Ibitson, procurat. ejusdem.
 Laurentius Nowell, decanus ecclesiae cath. Lycheffield.
 Thomas Leverus, archid. Covent.
 Arthurus Sault, proc. decani et capituli ecclesiae cath. Glouc.
 Robertus Weston, proc. cleri Coven. et Lichfield dioec.
 Thomas Byckley, proc. cleri Coven. et Lichfield. dioec.
 Richardus Walker, archidiac. Stafford. et Derby.
 Rob. Croleus, archidiac. Hereford.
 Rob. Grinsell, archid. Salop. et proc. capituli et cleri Hereford.
 Nico. Smith, procur. cleri Hereford.
 Tho. Linett, praecentor Meneven. idem Linett pro capitulo et clero.
 Jo. Pratt, archidiac. Meneven.
 Jo. Butler, archidiac. Cardigan.
 Wa. Jones, archidiac. Brecon.
 Rob. Pownde, unus pro clero Brecks.
 Gulielmus Constantine, procurat. cleri Meneven.
 Hugo Evans, dec. Assaphen.
 Richardus Rogers, arch. Assaph.
 Johannes Price, procur. cleri Assav.

Edmund Merick, archid. Bangor. per me Hugonem Morgan, procurat. cleri dioec. Bangor.

Nicolaus Robinson, arch. Merion.
 Andreas Pearson, proc. cleri Landaven. dioec. subscripsi.

Gulielmus Daye, praepos. collegii regii de Eton.

Johannes Hythus, proc. cleri Oxon.
 Gulielmus Lueson, archidiac. Carmar.

Thomas Powell, proc. cleri Assap.

Thomas Bolt, archidiac. Salop.

Thomas Bolt, procurat. capituli ecclesiae cathedralis Lincoln.

Robert Hues, proc. capituli Assap.

Michael Remiger, proc. capituli Wintonien.

Andreas Perne, decanus Elienf.

Franciscus Mallet, decan. Lincoln. per procurat.

Richardus Barber, archidiac. Leicestriae.

Robertus Longher, proc. Henrici Squire, archid. Barum.

Gregorius Dodds, dec. Exon. procur. ecclesiae cath. ibid. et proc. Joh. Smyth, arch. Landaven.

Johannes Ebden, Will. Evance, Andreas Pearson, John Price, Thomas Pavell, Edmund Merick, Nicolas Robynson, per me Rob. Pownde, per Hugonem Morgan.

Richardus Barbar, nomine procuratorio magistri Francisci Mallet, decani ecclesiae cathedralis Lincoln. personaliter subscribo.

Et etiam nomine meo subscribo Robert Evance.

Ista subscriptio facta est ab omnibus sub hac protestatione, quod nihil statuunt in praedictum cujusque senatusconsult. sed tantum supplicem libellum, petitiones suas continentem, humiliter offerunt.

Ex regist. convoc.

His ita gestis, eodem die nonnulli episcopi electi fuerunt ad excogitanda quaedam capitula de disciplina in ecclesia habenda. Sequenti quinto die Februarii, aliis episcopis assignatum fuit munus examinandi librum vocatum "The Catechisme." Hoc et decimo die ejusdem mensis, subscriptiones domus inferioris articulis religionis factae, reverendissimo et episcopis oblatae sunt. Deinde 19. die ejusdem mensis, reverendissimus "tradidit prolocutori et sex aliis de clero domus inferioris, coram se et aliis reverendis patribus constitutis, quosdam articulos in scriptis conceptos, mandando quatenus super contentis in dictis articulis diligenter inquirant, ac quicquid inde invenerint, in scriptis redigant, ac dicto reverendissimo porrigant et exhibeant.

First, Whether if the writ "De melius inquirendo" be sent forth, the likelihood be, that it will turn to the queen's commodity.

Item, Whether some benefices ratable, be not less than they be already valued.

Item, To enquire of the manner of dilapidations, and other spoliations, that they can remember to have pass'd upon their livings, and by whom.

Item,

Item, How they have been used for the levying of arrears of tenths, and subsidies, and for how many years past.

Item, How many benefices they find, that are charged with pensions of religious persons.

Item, To certify how many benefices are vacant in every diocese."

Tandem negotium de subsidio dominae reginae concedendo, diu multumque antea tractatum, 22. die Februarii ad finem perductum est, sub certis modo, forma, et conditionibus expediendum.

Die 26. ejusdem mensis prolocutor, cum decem aliis de coetu domus inferioris, "porrexit reverendissimo et episcopis quendam librum "De disciplina," etc. in papiro; cui quidem libro (ut asseruerunt) dictus coetus domus inferioris unanimiter consensit."

Huic libro, sequenti die primo et quinto Martii, aliqua capitula addidit eadem domus, ac reverendissimo et episcopis tradidit.

Sequenti tertio die Martii prolocutor, nomine totius coetus domus inferioris, praesentavit reverendissimo et episcopis suffraganeis librum nuncupatum "Catechismus puerorum;" cui, ut asseruit, omnes de coetu ejusdem domus unanimiter consenserunt.

Post varias deinde continuationes de die in diem, synodus prorogata fuit ad 26. diem mensis Martii.

Quae supra brevi tantum tetigimus linea ex registris convocationis, Strypius in annalibus suis longiore deduxit filo; cujus verba ex primo volumine annal. p. 335. hic adjiciemus.

After the matters of doctrine were thus dispatched, the convocation proceeded to the reformation of rites and ceremonies in the public liturgy. And here Sandys, bishop of Worcester, brought in his paper; wherein his advice was to move her majesty,

First, That with her majesty's authority, with the assistance of the archbishop of Canterbury, according to the limitation of the act provided in that behalf, might be taken out of the book common prayer, private baptism, which hath respect unto women; who by the word of God cannot be ministers of the sacraments, or of any one of them.

Secondly, That by like authority, the collect for crossing the infant in the forehead may be blotted out; as it seems very superstitious, so it is not needful.

Thirdly, That according to order taken by her majesty's father, king Henry the eighth, of most famous memory, and by the late king Edward, her majesty's brother, certain learned men, bishops, and others, may by her majesty be appointed to set down ecclesiastical orders and rules in all ecclesiastical matters, for the good government of the church of England, as shall be by them thought most meet; and the same in this present session of parliament, whatsoever they shall order or set down, within one year next to be effectual, and for law confirmed by act of parliament, at, or in this session.

There was put in also the request of certain

members of the lower house, with their names underwritten (to the number of thirty three) concerning such things, as that house nevertheless agreed not to by common consent, viz.

I. That the psalms appointed at common prayer, be sung distinctly by the whole congregation, or said with the other prayers by the minister alone in such convenient place of the church, as all may well hear and be edified; and that all curious singing, and playing of the organs may be removed.

II. That none from henceforth be suffered in any wise to baptize, but ministers only; and that they also may leave off the sign of the cross used in baptism, as of the which many have conceived superstitious opinions.

III. That in the time of ministring the communion, kneeling may be left indifferent to the discretion of the ordinary. For that some in kneeling do not only knock, but oftentimes also superstitiously behave themselves.

IV. That the use of copes and surplices may be taken away; so that all ministers in their ministry use a grave, comely, and seditious garment, as commonly they do in preaching.

V. That the ministers of the word and sacraments be not compelled to wear such gowns and caps, as the enemies of Christ's gospel have chosen to be the special array of their priesthood.

VI. That in the 33d article of doctrine concerning ceremonies, these words may be mitigated: "Is, ut qui peccat in publicum ordinem ecclesiae, quique laedit auctoritatem magistratus, et qui infirmorum fratrum conscientias vulnerat, publice, ut caeteri timeant, arguendus est."

VII. That all saints, feasts, and holy-days, bearing the name of a creature, may, as tending to superstition, or rather gentility, be clearly abrogated; or at least a commemoration only reserved of the said saints by sermons, homilies, or common prayers for the better instructing of the people in history. Men may after the said spiritual exercise occupy themselves in a bodily labour, as of any other working day.

To this paper the names subscribed were,

Nowell, dean of St. Paul's, proloc.
Sampson, dean of Christ's Church Oxon.
Laurence Nowel, dean of Lichf.
Ellis, dean of Heref.
Dey, provost of Eton.
Dodds, dean of Exon.
Mullins, archdeacon of London.
Watts, archdeacon of Middlesex.
Pullan, archdeacon of Colchester.
Lever, archdeacon of Coventry.
Beaumont, archdeacon of Huntingd.
Spencer, archdeacon of Chichester.
Croley, archdeacon of Hereford.
Heton, archdeacon of Gloucester.
Rogers, archdeacon of St. Asaph.
Kemp, archdeacon of St. Albans.
Prat, archdeacon of St. David's.
Longland, archdeacon of Bucks.

Catshill,

Catshill,
Walker,
Saul,
Wiburn,
Savage,
W. Bonner,
Avys,
Wilson,
Nevynson,
Tremayne,
Renyger,
Roberts,
Reeve,
Hills,

Proctors of the

church of Oxon.
clergy of Suffolk.
dean and chap. of Glou.
church of Rochester.
clergy of Gloucester.
clergy of Somersf.
church of Wigorn.
of the same.
clergy of Cant.
clergy of Exet.
dean and chapt. of Wint.
clergy of Norw.
dean and chapt. of West.
clergy of Oxon.

On February the 13th there was a notable matter brought into the lower house the determination of which matter depended upon a narrow scrutiny of the members. For on the day aforesaid these articles were read, to be approved or rejected.

I. That all the Sundays in the year, and principal feasts of Christ be kept holy days,

Orders for bishops and the clergy, drawn up by E'wyn Sandys, bishop of Worcester.

FIRST, Forasmuch as bishops are not born for themselves, but for their successors, and are only possessors for their own time; every bishop by the subscription of his hand, promisseth, that he shall not either by lease, grant, or any other means let, set, or alienate any of his manors or whatsoever heretofore hath not been in lease; except only for his own time, and while he is bishop.

Item, That no bishop, dean, or chapter shall give or grant any advowson of their prebend, parsonage, or vicarage, after the date hereof.

Item, That no bishop shall admit any into the ministry, who hath not good testimony of his conversation; who is not learned, fit to teach the people; and who hath not presently some appointed place, cure, or living to serve. And that he do not admit the same without the consent of six learned ministers, who shall all lay their hands upon his head at his admission.

Item, That every bishop by himself or by

and all other holy days to be abrogated.

II. That in all parish churches the minister in common prayer turn his face toward the people, and there distinctly read the divine service appointed, where all the people assembled may hear and be edified.

III. That in ministring the sacrament of baptism, the ceremony of making the cross in the child's forehead may be omitted, as tending to superstition.

IV. That forasmuch as divers communicants are not able to kneel during the time of the communion, for age, sickness, and sundry other infirmities; and some also superstitiously both kneel and knock; that order of kneeling may be left to the discretion of the ordinary within his jurisdiction.

V. That it be sufficient for the minister, in time of saying divine service, and ministring of the sacraments, to use a surplice; and that no minister say service, or minister the sacraments, but in a comely garment or habit.

VI. That the use of organs be removed.

his officer shall see, that every curate, parson, vicar, or other do catechise the children, and youth of his parish every Sunday, according to the injunction in that behalf.

Item, It is ordered, that no minister shall marry any other, than be within his parish, the woman party at the least; and that he do it not, except the banns be openly thrice proclaimed in the same parish, and that he know, that the parents of the party consented thereto.

Item, That no bishop, dean, or chapter shall bestow their benefices, whereof they be patrons, but upon such as are learned, and fit for the office, and such as will subscribe to sound religion now by authority set down.

Item, That every bishop take order, that whosoever is a common swearer in his diocese, if after two admonitions by the minister he will not leave the same, that then it shall be lawful for the minister to exclude him from the communion, until he shall find reformation in him.

Requests and petitions of the lower house of convocation for discipline.

I. THAT a catechism be set forth in Latin for the instructing of youth in the universities, and grammar schools throughout the realm.

II. That certain articles, containing the principal grounds of the christian religion, be set forth, as well to determine the truth of things this day in controversy, as also to shew what errors are chiefly to be eschewed. And these, with the catechism, to be joyned in one book.

III. That no private baptism be ministring hereafter, but only by those that be ministers

of the church.

IV. That in public baptism the father of the infant (if he possibly may) be present; and that he, and the godfathers, and godmothers shall openly profess and recite the articles of the christian faith, commonly called the Creed, and desire that the infant may in that faith be baptized, and received into the church of Christ. And they shall not answer in the infant's name to such questions as heretofore have been demanded of them in that behalf.

V. That it may be added to the confession, which

which is used to be made before the ministrati-
on of the holy communion, that the communi-
cants do detest and renounce the idolatrous
mass.

VI. That no person abide within the church,
during the time of the communion, unless he
do communicate. That is, they shall depart
immediately after the exhortation be ended,
and before the confession of the communicants.

VII. That all images of the Trinity, and of
the Holy Ghost be defaced, and that roods,
and all other images, that have been, or here-
after may be superstitiously abused, be taken a-
way out all of places, public and private, and
utterly destroyed.

VIII. That whosoever being either of the
clergy or laity shall preach, declare, write, or
speak any thing in derogation or despising of
the book abovenamed, or against any do-
ctrine therein contained, and be thereof law-
fully convicted before any ordinary, and will
stand in the maintaining thereof, being by god-
ly reasons moved to the contrary, he shall be
punished as, etc.

IX. Moreover, if any person or persons, lay
or ecclesiastical, shall deny directly or indirectly,
publicly or privately, by writing or speaking,
any article of doctrine contained in the said
book, and be thereof lawfully convicted before
any ordinary, and will obstinately stand in the
same he shall be, etc.

X. If any ecclesiastical person, having any
benefice or promotion spiritual, and being re-
quired by his ordinary, his deputy, or any other
competent judge, to subscribe to the said arti-
cles, or to declare his open consent and judg-
ment in any public place of assembly, where
his ordinary, etc. shall appoint, do perempto-
rily refuse so to do, he shall, etc.

XI. And if any pretended, nominated, or
elected to any benefice or spiritual promotion,
do refuse to subscribe or declare his consent
and judgment to the said articles in form afore-
said, the same shall be, etc.

XII. That no man be judged in law to be
instituted to any ecclesiastical promotion or
living, unless he personally first subscribe to the
said articles before his ordinary, and a note of
his subscribing be inserted into his institution.

XIII. And if any bishop, ordinary, or chan-
cellor do admit or institute any person or per-
sons to any benefice or spiritual promotion,
and do not require the person so to be admitted
or instituted, to subscribe to the said articles,
that then the said bishop, ordinary, or chancel-
lor not so requiring, shall, etc.

XIV. Likewise those, that shall take degrees,
or shall be admitted to any fellowship, or living
of students in either of the universities, shall
at the time of their admission subscribe to the
said articles. And the recusants shall be, etc. And
such as have fellowships already, or living of
students, if they be required by the masters,
or heads of their colleges, halls, or houses to
subscribe, and do refuse, shall, etc. For the
better execution whereof, all masters and heads
of colleges, halls, and houses, within four

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months next after the publishing hereof, shall
require not only all such as are already fellows
or students of their colleges, halls and houses,
to subscribe, and give their consents to the said
articles; but also all such as they shall admit
hereafter to any fellowship or place of student,
at the time of their admission.

XV. And if any master or head of any col-
lege, hall, or house do not require the said sub-
scription within the said four months, or do ad-
mit any to any fellowship or living of students
without such subscription; or if any master, or
head do not himself subscribe and declare his
consent to these said articles, when any of them
shall be required by the chancellor being present,
and in his absence, by the vice-chancellor, or
his deputy in that behalf; that the said master
or head so refusing, and not requiring or admit-
ting as before, shall, etc.

XVI. And if the vicechancellor, or his depu-
ty do not within the said four months require
the said subscription and consent of the said ma-
sters and heads of every college, hall, and house
in either of the universities, or suffer any to take
degree without such subscription, he shall, etc.
Also, if the said vicechancellor, or commissary,
or their lawful deputies shall not within the
said time require the said subscription of the
beadles and other officers belonging to either of
the universities, he and they shall, etc. And if
any of the said beadles or other officers belonging
to either of the said universities be recusant
therein, they shall, etc.

XVII. Furthermore, as well the vicechan-
cellor or commissary afore said, as the master,
or chief governor of every college of either of
the universities shall not permit or suffer any of
the age of five and twenty years, and upwards,
being not fellow of any house, having any man-
ner of ecclesiastical promotion, to be resiant
within any of the said universities, under any
colour, but such as shall yearly, during their
abode in the same, make two sermons in the
most notable church in the said town; in which
he or they so preaching shall openly profess his,
or their faith concerning such articles as shall
be ministred unto him, by the vicechancellor
or commissary, and master of the house, where-
in he or they shall make their abode: provided,
that before every of the said sermons, there be
notice given to the people by the open ringing
of a bell within the said church. And for every
default of the vicechancellor, commissary, or
master afore said concerning the premises, every
of them so offending, etc.

XVIII. That it shall be lawful for every or-
dinary to call personally before him any person
or persons within his jurisdiction, which either
be, or have been ecclesiastical persons, or any
lay persons, whom he suspects concerning religi-
on; and to examine him or them of the said ar-
ticles, and to require their subscription, and open
consent to the same, in such public place or
places to be given by the party suspected, as
to the said ordinary shall seem good. Which
if the said person or persons suspected shall re-
fuse to do, being peremptorily required, and

Q q q

(reco-

(recognizance being first taken of him to the queen's majesty by the said ordinary for his appearance) by the space of one month persist in the same, then he or they, etc.

XIX. That the declaration of certain principal articles, set forth by the bishops, being again considered, and having such other articles added to the same, as shall be thought necessary, shall be openly read by all parsons, vicars, and curates, in their several parishes at two several times in the year; that is to say, the Sunday next following Easter day, and St. Michael the archangel, immediately after the gospel read, or some other Sunday within one month next after these feasts, upon pain, etc.

XX. The same declaration shall be read also every year once by all ministers and priests in cathedral churches, and all colleges throughout the Realm.

XXI. That the same order may be taken in the book of common prayer for these matters above rehearsed. And that the said book together with the book of the form and manner of making and ordering bishops, ministers, and deacons, may be ratified by the authority of this present parliament.

This was subscribed by sixty four of the house by their own hands;

Thomas Becon.
Richardus Beseley.
Johannes Calverley.
Percivallus Wiburnus.
Thomas Colus.
David Kempe de S. Albano.
Joannes Pullanus, archid Colchest.
Johannes Calfehyll.

Richard Reve.
Guillielmus Latimer
John Warner.
Stephanus Cheston.
Joannes Watson.
Ra. Cottrel.
Michael Reniger.
Thomas Lancaster.
Richardus Chaundler.
James Proctor.

Archiepisc. Cant.
MATTH. PARKER 3.

Anno Christi
1562.

Reg. Angliae
ELIZAB. 5.

Queen Elizabeth's letter to the archbishop, authorizing his prayers and orders for fasting during the plague. Strype's life of archb. Parker, app. p. 34.

By the queen.

ELIZABETH.

MOST reverend father in God, right trusty and right well beloved, we greet you well. Like as almighty God hath of his mere grace committed to us, next under him, the chief government of this realm and the people therein; so hath he, of his like goodness, ordered under us sundry principal ministers, to guide and assist us in this burthen. And therefore considering the state of this present time, wherein it hath pleased the most highest, for the amendment of us and our people to visit certain places of our realm with more contagious sickness, than lately hath been; for remedy and mitigation whereof, we think it both necessary and our bounden duty, that universal prayer and fasting be more effectually used in this our realm.

Hugo Turnbull.	Georgius Savage.
Wilhelmus Brad- bridge.	Anthonius Hinton.
Edmundus Westo- nus.	Wilhelmus Fluyd.
Thomas Spenfer.	Johannes Pedder.
Thomas Sorebaeus.	Robert Avys.
Justinian Lancaster.	Thomas Wilsonus.
Gualterus Bowerus.	Laurence Nowell.
Gregorius Dodds.	Ja. Calfehyll, procur. cler. Oxon.
Robertus Lougher.	Thomas Lever.
Thomas Ithel.	Thomas Bolt.
John Bell.	Jo. Kenal.
Thomas Roberts.	John Ellys.
Johannes Walkerus.	John Salisbury.
John Longland.	Tho. Richley Peterb.
William Todd.	Richard Huys.
Robert Beaumont.	Robertus Croleus.
Guliel. Daye.	Robertus Grynstel.
Thomas Godwyn.	Thomas White.
Tho. Sampson.	Thomas Huett.
Joannes Hyllus.	Jo. Prat.
Arthurus Saul.	Wa. Jones.
Guido Heton.	Richardus Rogers.
Andreas Perne.	Jo. Butler.

In this convocation great endeavours also were used for the mending the poor condition of vicarages, but they came to nothing. The bishops also had serious consultations in this synod among themselves for the better government of their respective churches; and these were some of their orders concerning the inferior clergy; consisting of divers things readers and deacons were to do; to which they were required to promise and subscribe, when they were admitted. Which orders perhaps were now at this synod only confirmed, having been enjoined before in the year M. D. LXI.

And understanding that you have thought and considered upon some good orders to be prescribed therein, for the which ye require the application of our authority, for the better observation thereof amongst our people; we do not only commend and allow your good zeal therein, but do also command all manner our ministers ecclesiastical or civil, and all other our subjects to execute, follow, and obey such godly and wholesome orders, as you, being primate of all England, and metropolitan of this province of Canterbury, upon godly advice and consideration, shall uniformly devise, prescribe, and publish for the universal usage of prayer, fasting, and other good deeds during the time of this visitation by sickness and other troubles. Yeven under our signet at our manour of Richmond the first day of August, the fifth year of our reign.

Order

Order for a form of thanksgiving for the queen's recovery. 243

Archiepisc. Cant.
MATTH. PARKER 3.

Anno Christi
1562.

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Order for a form of prayer of thanksgiving for the queen's recovery.
Reg. Grindall fol. 26. a.

AFTER our very hearty commendations to your lordship. Where the queen's majesty is at this present, God be thanked, after some extremity of sicknes very well recovered; because it may happen that some vain brutes may be spread abroad of this matter, especially in the city of London, we have thought good to signify these joyfull tidings unto your lordship, and pray you to take order that the same may be published to morrow at Poules crosse, and there thanks to be given to almighty God for this her majesty's good recovery; and humbly to pray his blessed goodness to continue the

same. And thus we bid your good lordship heartily farewell. From Hamptoncourt the 17th of Octob. M.D.LXII.

Your good lordship's loving friends,

N. Bacon, C. S.	W. Hawarde.
Winchester.	F. Knolles.
Arundell.	W. Cecyll.
F. Bedforde.	Ab. Cave.
E. Clynton.	John Mafon.
Sakevyle.	

Concilium provinciale Ebor. Ex reg. Ebor. in ann.

PER breve regium concilium hoc die duodecimo mensis Januarii in ecclesia metropolitana B. Petri Ebor. celebrari jubetur. Eo autem illucescente die, virtute alius brevis regii, ad quintum diem mensis Februarii prox. convocabatur. Hoc die habito tractatu per dictos praesidentes, five commissarios, et caeteros comparantes, et interesse debentes, super quibusdam arduis negotiis, statum boni publici, et condecens ordinem ecclesiae, et Dei gloriam concernentibus, deinde consimili tractatu habito, concluderunt reverendissimum dom. archiepiscopum consulendum fore super quibusdam articulis, in quadam schedula apud registrum remanente conscriptis. Et quoad feoda procuratorum cleri, dicti praesidentes et caeteri comparantes ordinaverunt et statuerunt, quod singuli beneficiati in dioecesi Dunelm. Carliolen. et in archidiaconatu Nottingham, Ebor. dioecesi pro singulis libris beneficiorum suorum, solvant pro feodis procuratorum cleri pro eisdem intervenient. et pro collectione ejusdem tres denarios; et singuli beneficiati in archidiaconatibus Eborum, Eastryding, et Cleavland solvant pro singulis libris duos denarios; et quoad taxationem cujusque beneficii, taxatio pro perpetua decima dominae nostrae reginae debita habeat locum dun-

taxat, et non alia. Et dicti praesidentes referaverunt taxationem beneficiorum dioecesi Cestrensi, et Sodorensi usque in 12. diem mensis Martii.

Quo die expositis per commissarios causis convocationis, et maxime concessionis cujusdam gratuiti subsidii illustrissimae dominae reginae, etc. faciend. praelati ac clerus unanimi consensu et assensu, ac prompta voluntate concesserunt dictae dominae nostrae reginae quoddam subsidium 6. solid. de qualibet libra, cujuscunque promotionis ecclesiasticae infra provinciam Ebor. existentis. Deinde synodus haec in crastinum diem 13. Martii continuata fuit.

Hoc die adveniente, convenerunt et statuerunt, quod singuli beneficiati dioecesi Cestrensi, et Carliolen. pro singulis libris beneficiorum suorum solvant pro feodis procuratorum ejusdem dioecesi intervenient. et pro collectione ejusdem 3. denarios, viz. procuratoribus 2. den. et Richardo Smerthwait, apparitori generali, denarium pro singulis libris beneficiorum praedictorum. Et quoad taxationem cujuslibet beneficii, taxatio pro perpetua decima dominae nostrae reginae debita habeat locum duntaxat, et non alia. Hoc facto, concilium continuatum fuit in ultimum diem mensis Martii instantis.

Archiepisc. Cant.
MATTH. PARKER 4.

Anno Christi
1563.

Reg. Angliae.
ELIZAB. 5.

Synodus provincialis Cantuar. et Eboracen.

SYNODUS provincialis Cantuar. a die 26. mensis Martii de die in diem continuata fuit usque ad 14. mensis Aprilis, quo die per breve regium usque ad tertium diem mensis Octobris prorogabatur. Illo autem die, propter infectionem aeris pestiferi ubique per civitates London. et Westmonast. ac earundem suburbia adtunc invalescentem, synodus haec per breve regium usque ad sextum diem Octobris anni M.D.LXIV. prorogata fuit.

In altera provincia synodus ad ultimum diem Martii prorogata per commissarios archiepiscopi Ebor. ad 28. diem Aprilis continuabatur. Diem autem illum antevertit regina per breve regium dat. 12. die Aprilis, prorogando synodum hanc ad 3. diem Octobris seq. Illo autem die fere instante, ob rationem superius memoratam, per aliud breve eam usque ad 6. diem Octobris anni M.D.LXIV. prorogavit.

The

Archiepisc. Cant.
MATTH. PARKER 4.

Anno Christi
1563.

Reg. Angliæ
ELIZAB. 5.

The council's letter to the bishop of London about the clergy of his diocese.
Strype's life of archb. Grindall p. 68.

AFTER our hearty commendations to your good lordship. The queen's majesty, certain good considerations moving her to understand in some part the state of your diocese, hath commanded us to write unto your lordship with all speed possible, and thereby to require the same to make answer by writing distinctly to all these articles following.

I. How many shires or counties your diocese doth contain, or into how many it doth extend?

II. Into what manner of regiment the same is divided? whether the same be into archdeaconries, deanries, or such like? and how many the same be, with their distinct names? who occupieth those rooms at this present, and where they are to your understanding?

III. What exempt or peculiar places are within the circuit of your diocese, where you have not full jurisdiction as ordinary, and what the names thereof be; and who hath the ordinary jurisdiction thereof at this present?

IV. How many churches are within every such archdeaconry, deanry, or other regiment? which be parochial, have parsons, vicars, or curates? And whereas the parishes are so large, as they have divers chapels of ease, which have or ought to have curates or ministers in them; to certify how many be of that sort in every such parish; with the names of the towns or hamlets, where the same churches and chapels are so situate.

V. How many households are within every parish, or within any such member of any parish, that hath churches or chapels of ease?

VI. Wheresoever any exempt places be within the circuit of your diocese, wherein you

have no such jurisdiction, as ye can presently make sufficient answer to these former articles; her majesty would, that ye should in writing copy out so much of the substance of these five former articles, as shall seem convenient for the purpose, and with speed to send (them) to such persons, as have the jurisdiction of those exempt places, or their deputies residing next unto you; willing and commanding them in her majesty's name forthwith to send distinct answers thereunto, to be sent either to yourself, or by them to be sent unto us.

And because the greater part of these former articles is such, as we doubt not, but ye are by means of your visitation able to cause sufficient certificates to be made unto us with speed; we require your lordship to use therein what diligence you can, and not to defer any time therein; but either by this messenger, or within two or three days at the furthest to return us answer. And for some such part thereof, as speedily you cannot certify without conference had with your chancellor, commissary, archdeacons, deans, or other inferior officers; our like request is, that you do procure information thereof without delay of time; and to command in her majesty's name the like to be done by all others, having, as above is said, any exempt jurisdiction, as her majesty be amply and certainly satisfied herein. And so fare your good lordship right heartily well. From Greenwich the 9th of July, M.D.LXIII.

Your good lordship's assured loving freinds,

Pembroke. R. Duddely.
Norfolk. W. Cecyll.

An admonition to all such as shall intend hereafter to enter the state of matrimony, godly and agreeable to laws.

FIRST, That they contract not with such persons, as be hereafter expressed, nor with any of the like degree, against the law of God, and the laws of the realm.

Secondly, That they make no secret contracts without consent and counsel of their parents or elders, under whose authority they be, contrary to God's laws, and man's ordinances.

MARRIAGE is honourable among all men, and the bed undefiled; but whoremongers and adulterers God will judge. Heb. xiii. 4.

To avoid fornication let every man have his wife, and let every woman have her husband: he that cannot contain, let him marry; for better it is to marry, than to burn. 1 Cor. vii. 2, 9.

Thirdly, That they contract not anew with any other, upon divorce and separation made by the judge for a time; the laws yet standing to the contrary.

Unto the married I command, not I, but the Lord, let not the wife depart from her husband; but if she depart, let her remain unmarried, or be reconciled unto her husband: and let not the husband put away his wife.

1 Cor. vii. 10, 11.

I. It is to be noted, that those persons, which be in the direct line ascendent, cannot marry together, although they are never so far asunder in degree.

II. It is also to be noted, that consanguinity and affinity (letting and dissolving matrimony)

is

is contracted as well in them and by them, which be of kindred by the one side, as in and by them which be kindred by both sides.

III. Item, That by the laws consanguinity and affinity (letting and dissolving matrimony) is contracted as well by unlawful company of man and woman, as by lawful marriage.

IV. Item, In contracting betwixt persons doubtful, which be not exprest in this table, it is most sure first to consult men learned in the law; to understand what is lawful, what honest and expedient, before the finishing of their contracts.

V. That no parson, vicar, or curate shall solemnize matrimony out of his or their cure, or parish church, or chapel, and shall not solemnize the same in private houses, nor lawless exempt churches, under pains of the law forbidding the same. And that the curate have their certificates, where the parties dwell in divers parishes.

VI. Item, The bands of matrimony ought to be openly denounced in the church by the minister three several Sundays or festival days, to the intent, that who will and can alledge any impediment, may be heard, and that stay may be made till further tryal, if any exception be made there against it upon sufficient caution.

VII. Item, Who shall maliciously object a fri-

volous impediment against the lawfull matrimony to disturb the same, is subject to the pains of the law.

VIII. Item, Who shall presume to contract in the degrees prohibited (though he do it ignorantly) besides that the fruit of such copulation may be judged unlawful; is also punishable at the ordinary's discretion.

IX. Item, If any minister shall conjoyn any such; or shall be present at such contracts making; he ought to be suspended from his ministry for three years, and otherwise to be punished according to the laws.

X. Item, It is further ordained, that no parson, vicar, or curate do preach, treat, or expound of his own voluntary invention, any matter of controversie in scriptures, if he be under the degree of a master of arts, except he be licensed by his ordinary thereunto; but only for instruction of the people, read homilies already set forth, and such other form of doctrine, as shall be hereafter by authority published, and shall not innovate, or alter any thing in the church, or use any old right or ceremony, which is not set forth by public authority.

None shall come near to any of the kindred of his flesh to uncover their shame: I am the Lord. Leviti xviii. 6.

A man may not marry his

Secundus gradus in linea recta ascend.		
Con. Avia.	1.	Grandmother.
Aff. Avi relicta.	2.	Grandfath. wife.
Aff. Profocrus vel socrus magna.	3.	Wives grandmother.
Secund. gr. inaequalis in linea transversali. ascendene.		
Con. Amita.	4.	Fathers sister.
Con. Matertera.	5.	Mothers sister.
Aff. Patruu relicta.	6.	Fath. broth. wife.
Aff. Avunculi relicta.	7.	Moth. broth. wife.
Aff. Amita uxoris	8.	Wives fath. sister.
Aff. Matertera uxoris.	9.	Wives moth. sist.
Primus grad. in lin. recta ascendente.		
Con. Mater.	10.	Mother.
Aff. Noverca.	11.	Stepmother.
Aff. Socrus.	12.	Wives mother.
Primus grad. in lin. recta descendente.		
Con. Filia.	13.	Daughter.
Aff. Privigna.	14.	Wives daughter.
Con. Nurus.	15.	Sons wife.
Primus gradus aequalis in lin. transversali.		
Con. Soror.	16.	Sister.
Aff. Soror uxoris.	17.	Wives sister.
Aff. Fratris relicta.	18.	Brothers wife.

A woman may not matry with her

Secundus gradus in linea recta ascend.		
Con. Avus.	1.	Grandfather.
Aff. Aviae relictus.	2.	Grandmoth. husb.
Aff. Profocer, vel socer magnus.	3.	Husb. grandfath.
Secund. grad. inaequalis in lin. transvers. asc.		
Con. Patruus.	4.	Fathers brother.
Aff. Avunculus.	5.	Mothers brother.
Aff. Amitae relictus.	6.	Fath. sisters husb.
Aff. Materterae relictus.	7.	Moth. sisters husb.
Aff. Patruus mariti.	8.	Husb. fath. broth.
Aff. Avunculus mariti.	9.	Husb. moth. broth.
Primus grad. in lin. recta ascend.		
Con. Pater.	10.	Father.
Aff. Vitricus.	11.	Stepfather.
Aff. Socer.	12.	Husband's father.
Prim. grad. in linea rect. ascendente.		
Con. Filius.	13.	Son.
Aff. Privignus.	14.	Husbands son.
Aff. Gener.	15.	Daughters husb.
Primus gradus aequalis in lin. transvers.		
Con. Frater.	16.	Brother.
Aff. Levir.	17.	Husbands broth.
Aff. Sororis relictus.	18.	Sisters husband.

246 ADMONITION TO ALL SUCH AS INTEND TO MARRY.

A man may not marry his

A woman may not marry with her

	Secund. grad. in lin. recta descend.						Secund. grad. in lin. recta descend.
Con.	Neptis ex filio.	19.	Sons daughter.	19.	Sons son.	Con.	Nepos ex filio.
Con.	Neptis ex filia.	20.	Daughters daugh.	20.	Daughters son.	Con.	Nepos ex filia.
Aff.	Pronurus, i. relict. } nepotes ex filio. }	21.	Sons sons wife.	21.	Sons daught. husb.	Aff.	Progener, i. relict. neptis ex filio.
Aff.	Pronurus i. relict. } nepotes ex filia. }	22.	Daughters wife.	22.	Daughters daugh- ters husb.	Aff.	Progener, i. relict. neptis ex filia.
Aff.	Privigni filia.	23.	Wives sons daugh.	23.	Husb. sons son.	Aff.	Privigni filius.
Aff.	Privignae filia.	24.	Wiv. daugh. daug.	24.	Husb. daught. son.	Aff.	Privignae filius.
	Secundus gradus in- aequalis in linea transvers. descend.						Secundus grad. in- aequalis in linea transvers. des.
Con.	Neptis ex fratre.	25.	Broth. daughter.	25.	Brothers son.	Con.	Nepos ex fratre.
Con.	Neptis ex sorore.	26.	Sisters daughter.	26.	Sisters son.	Con.	Nepos ex sorore.
Aff.	Nepotis ex frat. rel.	27.	Broth. sons wife.	27.	Broth. daugh. husb.	Aff.	Neptis ex frat. rel.
Aff.	Nepotis ex sor. rel.	28.	Sisters sons wife.	28.	Sist. daugh. husb.	Aff.	Neptis ex sor. rel.
Aff.	Neptis uxor ex fra.	29.	Wives brothers daught.	29.	Husb. broth. son.	Aff.	Leviri filius, i. ne- pos mariti ex frat.
Aff.	Neptis uxor ex sor.	30.	Wives sist. daugh.	30.	Husb. sisters son.	Aff.	Gloris filius, i. ne- pos mariti ex sor.

Archiepisc. Cant.
MATTH. PARKER 5.

Anno Christi
1564.

Reg. Angliae
ELIZAB. 6.

Synodi provinciales Cantuar. et Ebor.

SYNODI provinciales Cantuar. et Ebor. ad in diem primum mensis Maii, anni M.D.LXV.
sextum diem mensis Octobris hujus anni ulterius prorogabantur.
per breve regium prorogatae, per aliud usque

*Litterae Thom. Sampsonis, decani aedis Christi, et Laurent. Humphrey, praesidis collegii
B. Magdalen. Oxon. dom. archiep. Cant. et London. Winton. Elien et Lincoln. e-
piscopis, reginae commissariis ecclesiasticis; ut aequo animo ferrent, quod ceremo-
nias nuper introduct. haud observent.* Strype's life of archb. Parker app. p. 53.

ET novum et singulare videri potest, paucos homines multitudini privatos, auctoritati obscuros, vobis et doctrinae et pietatis gloria celebratis, propter lanam et linum vel dicto vel facto, aut velle aut audere obstrepere. Equidem ingenue fatemur, et coram Domino testamur, patres et fratres in Christo observandi, ut singularis nostra in religione suavissima conspiratio fuit, et est perjucunda; sic hac nostra vel levi a vobis dissensione in vita nihil accidisse acerbius. Quanquam illud nos recreari solet, et vos consolari debet, discordare quidem nos ac concordia discordia, evangelice non papistice, fraterne non virulente; sine dente et stomacho utrosque, sine zelo tamen et favore neutros, dissidere; in capite Christo, antesignano nostro, omnes et singulos idem evangelium, eandem fidem profiteri; in rebus natura sua plane adaphoris suum quemque spiritum et studium sequi, ubi libertati esse locus potest saepe, charitati autem esse debet semper; ubi non statim rumpitur unitas, nec obscuratur veritas, ubi aliqua ceremoniarum cernitur varietas. Vidit hoc Augustinus, sabbatho alios prandisse, alios rursus jejunasse, et in una ecclesia, uniusque regionis ecclesiis dissimilitudinem extitisse. Vidit Socrates homines, qui ejusdem sunt fidei, de ritibus inter se dissentisse. Vidit Theodoretus

ab omni antiquitate hanc in ecclesia consuetudinem mansisse, ut hic abstinentiam amplecteretur, ille esculentis vesceretur; nec hic judicaret illum, nec ille reprehenderet alterum, et omnes tamen claros insignesque redderet lux concordiae. Discessit a Constantini decreto, aliarum ecclesiarum exemplum secuta nostra Britannia. Dissensit a Carolo clerus Ravennas; imo a Barnaba Paulus, a Paulo Petrus, a Petro condiscipulus Johannes; ab hujus successoribus Romanis, illius sectatores Asiani. Utinam patres, sic hic vos operam vestram interponeretis, ut illic pacificus Irenaeus et episcopi, qui in id sedulo incubuerunt, ne Victoris sententia Asianorum libertati praejudicaret, neve rituum dissonantia fidei consonantiam solveret.

Siqua nostrae in Christo consociationis ratio, siqua Συμπάθεια (esse autem non dubitamus) patiamini, enitami, ut quod Paulus praecepit, Augustinus perhibuit, in sua quisque πληροφροσύνη acquiescat, ut ipsa fidei unitas diversis observationibus celebretur. Causae multae et magnae, quae nos ad petendum moverunt, vos, nisi nostra de vestra pietate et prudentia fallit opinio, ad assentiendum promovebunt. Teneram rem esse conscientiam, vobis non est obscurum; quae nec tangi nec angere debet. Haec, quae a Deo ipsa accepit, nobis tradidit. Non enim profecto

perfecto turbulenti aut contumaces sumus, ut ecclesiae pacem turbatam libenter aspiciamus, quam colimus et fovemus; vel ut novitati studeamus, qui ad antiquum ecclesiae candorem aspiramus; vel ut vinci nolumus, qui ratione persuaderi et instrui cupimus. Verum enimvero nos conscientia magistra edocti sumus, res natura indifferentes, opinionibus hominum non semper indifferentes videri, casu ac temporibus variari. Legem hanc de ceremoniis ecclesiae Romanae instaurandis cum servitutis, necessitatis, superstitionis periculo conjungi. Hoc quia vobis non videtur, vos a nobis non damnandi; nobis quia sic videtur, nos a vobis non divexandi.

Nostri conscientia nos docet, si praeterita spatia superioris memoriae animo repetimus, a nobis stare Deum, Christum, primae ecclesiae patres; si oculos per vicina tempora et loca circumferimus, doctissimos homines, et vos ipsos, et ecclesias, quae quidem plene repurgatae sunt, universas: Deum, cujus voce reges Judaeorum praedicantur, qui omnia vasa, id est, omnia idololatriae instrumenta et apparatus deleverunt; Christum, qui Phariseorum omne fermentum, jejunia, lavacra, fimbrias, et phylacteria repudiavit; patres, qui nec cum Judaeis sabbatho jejunare, aut Pascha celebrare, nec cum haereticis lavare, nec cum Manichaeis die dominico abstinere, nec ulla in re, ubi aliqua esse potest consensionis significatio, communicare voluerunt; doctissimos, qui nostra aetate nobiscum in hac fide et sententia pie vixerunt, et nunc in Domino suaviter obdormientes, idem nos e libris docuerunt; vos ipsos, qui, si conscientias vestras appellaremus, nobiscum sentiretis,

et omnes hos offensionis lapides amotos, penitus optaretis; deinde ecclesias puriores; Germanicam, Gallicam, Scoticam; in quibus non modo religio illibata conservatur, sed ritus etiam, religionis testes et indices, simplices non contaminati, a christianis ecclesiis mutuati, non a Romana synagoga desumpti, observantur.

Postremo, quam grave scandalum hinc oritur, vestra non ignorat prudentia. Adversarii nobis afflictis insultabunt; dein, vos suam causam propugnantes, suum jus persequentes, in sinu tacite ridebunt; tum invento suo, postquam a vobis non modo retineri, sed per vos fratribus obtrudi viderint, sibi magis placebunt. Quamobrem ut tandem aliquando nostra terminetur petitio, demississime petimus, ut quod papistis curae et voluptati, vobis non magnopere cordi est, quod a nobis nullo contemptu vestri, sed odio communis hostis fit; id nobis ne fraudi sit aut crimini. Ita ecclesiis prospicietis optime; ita sathanæ omnes vias et rimulas ad subvertendam religionis puritatem obsepieris providentissime; ita hostibus nostro malo et miseria oculos animosque pascentibus, et nostra hac discordia serio triumphantibus, illa rumpentur iustissime; ita nos, ut fratres in Christo diligetis christianissime; ita vos, ut patres venerabimur meritissime; ita dextras societatis jungemus amicissime; communemque causam communibus consiliis et curis adversus omnes hostium machinationes et insultus propugnabimus fortissime. Quod ut fiat, faxit Jesus, ecclesiae suae Deus ac Dominus zelotes; cui vestram paternitatem custodiendam, et nostram calamitatem sanandam etiam atque etiam commendamus.

Archiepisc. Cant.
MATTH. PARKER 6:

Anno Christi
1564.

Reg. Angliae
ELIZAB. 7.

Advertisements partly for due order in the publique administration of common prayers, and usinge the holy sacramentes, and partly for the apparell of all persons ecclesiasticall, by vertue of the queenes majesties letters, commaunding the same, the 25th day of January, in the seventh yeare of the raigne of our soveraigne lady Elizabeth, by the grace of God of Englande, Fraunce, and Irelande queene, defender of the faith, etc. Ex praefat. annal. Elizab. Cambd. edit. Hearn. pag. 32. seq.

The preface.

THE queenes majesty of her godly zeale calling to remembraunce howe necessary it is to the avauncement of God's glory, and to the establisshmente of Christes pure religion, for all her loving subjectes, especially the state ecclesiasticall to bee knitte together in one perfecte unitye of doctrine, and to bee conjoynd in one uniformity of rites and maners in the ministration of God's holy worde, in open prayer and ministration of sacraments, as also to be of one decent behavioure in their outward apparell, to be knowne partely by their distinct habits to bee of that vocation (who shoulde be revered the rather in their offices, as ministers of the holye thinges whereto

they bee called) hathe by her letters directed unto the archebyshop of Canterbury and metropolitane, required, enjoyned, and straightly charged, that with assistance and conference had with other byshops, namely suche as be in commission for causes ecclesiasticall, some orders might bee taken, whereby all diversities and varieties amonge them of the cleargy and the people (as breedinge nothinge but contention, offence, and breache of common charity, and be agaynste the lawes, good usage and ordinaunces of the realme) might be reformed and repressed, and brought to one maner of uniformity throughout the whole realme, that the people may thereby quietly honour and serve almighty God in truthe, concord, unity, peace, and quietnes, as by her majesties sayde

sayde letters more at large dothe appeare. Whereupon by diligent conference and communication in the same, and at laste by assent and consent of the persons before sayd, these orders and rules ensuing have been thoughte meete and convenient to be used and folowed: not yet prescribing these rules as laws equivalent with the eternall worde of God, and as of necessity to bynde the consciences of her subjectes in the nature of them considered in themselves; or as they shoulde adde any efficacye or more holynes to the vertue of publique prayer, and to the sacraments; but as temporall orders meere ecclesiasticall, without any vayne superstition, and as rules in some parte of discipline concerning decency, distinction, and order for the time.

Articles for doctrine and preachinge.

Firste, That all they, whiche shalbe admitted to preache, shalbee diligently examined for their conformity in unity of doctrine, established by publique authoritye; and admonished to use sobriety and discretion in teachinge the people, namely in matters of controversy; and to consider the gravity of their office, and to foresee with diligence the matters, which they will speake, to utter them to the edification of the audience.

Item, That they sette owte in their preachinge the reverent estimation of the holy sacramentes of baptisme, and the Lordes supper, excitinge the people to thoften and devoute receaving of the holy communion of the body and bludde of Christe, in suche forme as is already prescribed in the booke of common prayer, and as it is further declared in an homily concerninge the vertue and efficacye of the saide sacramentes.

Item, That they move the people to all obedience as well in observation of the orders appointed in the booke of common service, as in the queenes majesties injunctions, as also of all other civill duties due for subjectes to do.

Item, That al licences for preaching graunted out by the archebishop and byshopes within the province of Canterbury, bearing date before the first day of Marche, M.D.LXIV. be voyde and of none effect; and neverthelesse all suche, as shalbe thought mete for the office, to bee admitted agayne without difficulty or charge, painge no more but four pens for the writinge, parchment, and waxe.

Item, If any preacher or parson, vicare or curate so licensed, shall fortune to preache any matter tendinge to dissention, or to the derogation of the religion and doctrine receyved, that the hearers denounce the same to the ordinaries or the next byshope of the same place; but no man openly to contrary or to impugn the same speeche so disorderly uttered, whereby may growe offence and disquiet of the people; but shal be convinced and reproved by the ordinary after suche agreeable order, as shall be seene to him according to the gravity of the offence. And that it be presented within one moneth after the wordes spoken.

Item, That they use not to exacte or receive unreasonable rewardes or stipendes of the poore pastors cominge to their cures to preache, whereby they myght bee noted as folowers of filthye lucre, rather then use thoffice of preaching of charity, and good zeale to the salvation of mens soules.

Item, If the parson be able, he shall preache in his owne person everye three monethes, or else shall preache by another, so that his absence be approved by the ordinary of the dioces in respect of sickness, service, or study at the universities. Neverthelesse yet for wante of able preachers and parsons to tolerate them without penaltye, so that they preache in their owne persons, or by a learned substitute once in every three moneths of the yeare.

Articles for administration of prayer and sacramentes.

First, that the common prayer be sayde or songe decentlye and distinctlye in suche place, as the ordinarye shall thinke mete for the largenesse and streightnesse of the church and quyer, so that the people may be moste edified.

Item, That no parson or curate, not admitted by the byshope of the dioces to preache, do expounde in his owne cure, or elsewhere, any scripture or matter of doctrine, or by the way of exhortation, but only study to reade gravely and aptly, without any glosing of the same, or any additions, the homelyes already sett oute, or other suche necessarye doctrine as is or shall be prescribed for the quiet instruction and edification of the people.

Item, That in cathedrall churches and colleges the holy communion be ministred upon the firste or seconde Sundaye of everye moneth at the leaste. So that both deane, prebendaries, preists, and clerkes do receive, and all other of discretion of the fundation do receive foure tymes in the yeare at the leaste.

Item, In the ministration of the holy communion in cathedrall and collegiate churches, the principall minister shall use a cope with gospeller and epistoler agreeably; and at all other prayers to be sayde at that communion table, to use no copes but surples.

Item, That the deane and prebendaries weare a surplesse with a filke hooide in the quyer; and when they preache in the cathedrall or collegiate church, to weare their hooide.

Item, That every minister sayinge any publique prayers, or ministringe the sacramentes or other rites of the church, shall weare a comely surples with sleeves, to bee provided at the charges of the parishe; and that the parishe provide a decen table standinge on a frame for the communion table.

Item, That they shal decentlie cover with carpet, filke, or other decen coveringe, and with a fayre linnen clothe (at the time of the ministration) the comunyon table, and to sett the Tenne Commaundementes upon the easte walle over the said table.

Item, That al communicantes do receive kneeling, and as is appointed by the lawes of the

the realme and the queenes majesties injunctions.

Item, That the fonte be not removed, nor that the curate do baptize in parishe churches in any basons, nor in anye other forme, then is alredie prescribed, without charginge the parent to be present or absent at the christening of his childe, although the parent may bee present or absent, but not to answere as godfather for his childe.

Item, That no childe be admitted to answere as godfather or godmother, except the childe hath received the communion.

Item, That there be none other holidayes observed besides the Sundayes, but onelye suche as be set out for holidayes, as in the statute "anno quinto et sexto Edwardi sexti," and in the new calendar authorysed by the queenes majesty.

Item, That when any christian bodye is in passing, that the bell be tolled, and that the curate be specially called for to comforte the sicke person, and after the tyme of his passinge to ringe no more but one shorte peale, and one before the buriall, and another shorte peale after the buriall.

Item, That on Sundaies there be no shoppes open, nor artificers commonlye goinge aboute their affaires worldly, and that in all faires and common markets fallinge uppon the Sunday, there be no shewing of any wares before the service be done.

Item, That in the Rogation dayes of procession they singe or saye in Englishe the two psalmes beginninge, "Benedic anima mea," etc. with the letany and suffrages thereunto with one homelye of thankesgevinge to God, already devised and divided into foure partes without addition of any superstitious ceremonies heretofore used.

Articles for certayne orders in ecclesiasticall policy.

First, Againste the day of giving of orders appoynted, the byshope shall give open monitions to all men to except agaynste suche as they knowe not to be worthy either for life or conversation. And there to give notice that none shall serve for orders but within their owne dioces, where they weare borne, or had their longe tyme of dwellinge, except suche, as shall bee of degree in the universities.

Item, That younge preistes or ministers made or to be made, be so instructed, that they be able to make apte aunsweres concerninge the forme of the catechisme prescribed.

Item, That no curate or minister bee permitted to serve without examination and admission of the ordinary or his deputy in writing, having respect to the greatnes of the cure and the meetnes of the party; and that the sayde ministers, if they remoove from one dioces to another, bee by no means admitted to serve without testimonye of the diocesan, from whence they come, in writing of theyre honesty and ability.

Item, That the byshop doe call home once in the yeare any prebendary in his church, or beneficed in the dioces, whiche studieth at the

universities, to know how he profiteth in learninge, and that he be not suffered to bee a servinge or a waytinge man dissolutely.

Item, That at the archedeacon's visitation the archedeacon shall appoynte the curates to certayne taxes of the Newe Testamente to bee conde without booke. And at their nexte synode to exact a rehearsall of them.

Item, That the churchwardens once in the quarter declare by their curates in billes subscribed with their handes to the ordinarye or to the nexte officer under him, who they bee, whiche will not readily paye their penalties for not comminge to Goddes divine service accordingly.

Item, That the ordinaries doe use good diligente examination to foresee all simoniacall pactes or covenants with the patrons or presenters for the spoyle of their glebe, tithes, or mansion houses.

Item, That no persons be suffered to marye within the Leviticall degrees mentioned in a table, set forth by the archebysshoppe of Caunterburye in that behalfe anno Domini M.D.LXIII, and if anye suche be, to be separated by order of lawe.

Articles for outwarde apparell of persons ecclesiasticall.

Firste, That all archebysshoppes and byshoppes do use and continue their accustomed apparell.

Item, That all deanes of cathedrall churches, masters of colledges, all archdeacons, and other dignities in cathedrall churches, doctors, bachelors of divinitye and lawe, having any ecclesiasticall livinge, shall weare in their common apparell abroad a fyde gowne with sleeves streyght at the hand without anye cuttes in the same; and that also without anye fallinge cape; and to weare typpets of farennet, as is lawfull for them by thact of parliament "anno xxiv Hen. octavi".

Item, That all doctors of physicke, or of any other facultye, having any livinge ecclesiasticall, or any other that may dispende by the church one hundred markes, so to be esteemed by the fruites or tenthes of their promotions; and all prebendaries, whose promotions be valued at twenty pound or upward, weare the like apparell.

Item, That they and all ecclesiasticall persons or other, havinge any ecclesiasticall livinge, doe weare the cappe appointed by the injunctions. And they to weare no hattes but in their journeyng.

Item, That they in their journeyng do weare their clokes with sleeves put on, and lyke in fashion to their gownes without gards, welts, or cuts.

Item, That in their private houses and studies they use their owne liberty of comely apparrell.

Item, That all inferiour ecclesiasticall persons shall weare longe gownes of the fashion afore-sayde, and cappes as before is prescribed.

Item, that all poore parsons, vicars, and curates do endeavor themselves to conforme their apparrell in like sorte so soone and as conveniently

entlye, as their ability will serve to the same. Provided that their abilitye bee judged by the byshop of the dioces. And yf their abilitye will not suffer to buye them longe gownes of the forme afore prescribed, that then they shall weare their shorte gownes agreeable to the forme before expressed.

Item, That al suche persons, as have ben or be ecclesiasticall, and serve not the minysterie, or have not accepted, or shall refuse to accepte the othe of obedience to the queenes majesty, doe from hencefourth abroad weare none of the sayde apparrell of the forme and fashion afore sayde, but to go as mere layemen, till they be reconciled to obedience; and who shall obstinately refuse to do the same, that they bee presented by the ordinarye to the commissioners in causes ecclesiasticall, and by them to be reformed accordingly.

Protestations to be made, promised, and subscribed by them that shall hereafter bee admitted to any office, roome, or cure in any church, or other place ecclesiasticall.

Inprimis, I shall not preache or publicly interpret, but onely reade that, whiche is appointed by publique authoritye, without special licence of the byshope under his seale.

I shall reade the service appoynted playnly, distinctly, and audibly, that all the people may heare and understande.

I shall keepe the register booke accordinge to the queenes majesties injunctions.

Archiepisc. Cant.
MATTH. PARKER 7.

I shall use sobrietie in apparel, and specially in the church at common prayers, according to order appointed.

I shall move the parishioners to quiet and concorde, and not geve them cause of offence, and shall helpe to reconcile them, whiche be at variaunce, to my uttermoste power.

I shall reade daylie at the leaste one chapter of the Old Testament, and one other of the Newe, with good advisement to thincrase of my knowledge.

I do also faithfully promise in my person to use and exercise my office and place to the honor of God, to the quiet of the queenes subjects within my charge, in truth, concorde, and unitye. And also to observe, kepe, and mentayne suche order and uniformity in all external policye, rites, and ceremonies of the church, as by the lawes good usuages and orders are already well provided and established.

I shall not openlye intermeddle with any artificers occupations, as covetously to seke a gayne thereby, havinge in ecclesiastical lyvinge to the somme of 20. nobles or above by yere.

Agreed upon, and subscribed by

Matthaeus Cantuariensis
Edmundus Londinensis
Richardus Eliensis
Edmundus Roffensis
Robertus Wintoniensis
Nicolaus Lincolnensis

Commissioners in
causes ecclesiasti-
call, with others.

Anno Christi
1564.

Reg. Angliae
ELIZAB. 8.

Queen Elizabeth's letter to the bishop of London for seizing seditious books transported from beyond sea. Strype's Annals vol. I. app. p. 74.

By the queene.

RYGH T reverend father in God, right true and wel beloved, we grete you well. Where we be geven to understand, that certain unnatural and seditious subjects of this our realme being fled out of the same, and lyving on the other side of the seas, ceasse not continually to contrive and send over hither sundry seditious and slanderous books, to be spredde abroad here, partely for there own private gayne, but especially to move the ignorant people to disorder; a thing very requisite to be looked unto, as being merely against all good order and policy of this our state, and contrary also to the statutes and laws of this our realme; we lett you wete, that considering the most parte of those slaundersous books be brought in by such vessells, as arryve within our porte of London, of which place you are the chief pastor and bishoppe; and waying withall that you are one of our commissioners for matters ecclesiasticall; we have thought good to appointe you specially to have regarde hereunto. And for the better dealing therein, we have given order to our high treasurer of England expressly by our letters, that he shall suffer suche one or mo

persons of discretion, as you shall appointe for this purpose, to resort to our Custome house of London, as any ship or vessell shall come in from time to time, and ther to syt with our customers and other officers, for the serche and perfecte understanding of the state of suche bookes, and as anye suche shall be found to be brought to your handes, to th'intent that upon the considering of the same, you may do with them, as to your discretion shall be thought good. And further call before you and examine all suche persons, as you shall finde faultie herein, or in any wise to be suspected; and upon due tryall of his faulte to cause him to be punished, as the lawes of this our realme will permit, or otherwise in reason shalbe thought fyt. And yf you shall think yt requisite to have the like order in any other porte; we have also given commaundment to our said treasurer to cause the same to be executed, upon the notice to be given from you, and the diocessan of the place; requiring you therefore to take some care herein, and to make some speciall choyse of the men, that you shall appointe hereunto, bothe for their discretion, and also for their diligence, in suche sorte, as we may perceive some good to grow by this our order, for the redress

Queen ELIZABETH'S letter to the bishop of LONDON. 251

of these evil practises. And thes our letters shal be your sufficient warrant in this behalf. Yeven under our signet at our palace of Westminster the 24th day of January, in the eighth yere of our reigne.

Archiepsc. Cant.
MATTH. PARKER 7.

Anno Christi
1565.

Reg. Angliae
ELIZAB. 8.

Synodus utriusque provinciae Cantuar. et Ebor.

SYNODUS utriusque provinciae Cantuar. et Ebor. ad primum diem mensis Maii prorogata per breve regium dat. 9. die Aprilis, anno regni 7. usque in 5. diem Octobris prox. futur.

et ab eo die per aliud breve dat. 16. die Sept. anno regni 7. ad octavum diem mensis Februarii seq. prorogabatur.

Archiepsc. Cant.
MATTH. PARKER 8.

Anno Christi
1566.

Reg. Angliae
ELIZAB. 9.

Synodus provinciae Cantuar. et Ebor. Ex extract. Heylin. et reg. Ebor.

SYNODUS provinciae Cantuar. ab octavo die mensis Februarii ad primum diem Octobris, anni M.D.LXVI. per breve regium prorogabatur. Hoc die et quatuor aliis congregata, continuabatur ad 30. Octobris. Eo die, qui sextam fecit sessionem, episcopi post tractatum et communicationem inter eos aliquamdiu habitam, prolocutorem accersiverunt, eumque iusserunt sex viros discretos inferioris domus seligere ad excogitand. et concipiend. formam libri de subsidio dominae reginae per praelatos et clerum dictae Cant. provinciae concedendo. Per duas alias deinde sessiones haec convocatio continuata, die 22. Novemb. (quae nona fuit sessio) ad aedes Lambethanas transferebatur; ubi sessione undecima Dec. 4. reverendissimus legi fecit coram iis librum de subsidio dominae reginae concedendo, cujus conscribendi et examinandi cau-

sa sessiones viginti, h. e. integer hujus convocationis annus consumebatur. Tandem tertio die mensis Januarii per breve regium dissolvebatur.

EBORACENSIS provinciae synodus octavo die Februarii anno praecedente summonita per breve regium dat. 7. Februar. anno regni 8. ulterius prorogata est usque in diem primum Octobris prox. seq. Ab illo die per breves continuationes de die in diem usque ad 20. mensis Decembris, M.D.LXVI. Quo tempore aliud subsidium reginae concedebatur, et hoc facto, commissarii synodum hanc usque in 8. Januarii, et inde in 15. diem ejusdem mensis continuaverunt. Et tunc convocatio dissolvebatur per breve regium datum 3. die Januarii, anno regni 9.

The archbishop's letter to the bishop of London for conformitie. Reg. Parker I. fol. 256. b.

RIGHT well beloved brother, after my right hartie commendations in our saviour Christ. Whereas you do well know what offense is taken, for that diverse and sundry of the state ecclesiastical be so hardlie induced to conformitie, in administration of public prayers and sacraments, and in outward apparell, agreeable, in regard of order, for them to weare, notwithstanding established and other orders and ordinances prescribed in the same; in which disorder appeareth (as is commonlie interpreted) a manifest violation and contempte of the quenes majesties authoritie, and abusing her princely clemency in so long bearinge with the same, without execution of condigne severitie for there due correction, if the lawes were extended upon them. And whereas the whole state of the realme, by acte of Parliament openly published, doth most earnestly in God's name require us all to endeavour ourselves, to the utmost of our knowledge, duely and truly to execute the said lawes, as we will answer before God; by the which acte also, we have full power and authoritie to reform, and punish by censures of the church all and sin-

gular persones, which shall offende; and whereas also the quenes most excellent majestie, now a yere past and more, addrested her highness lettres enforcing the same charge, the contents whereof I sent unto your lordship in her name and authoritie, to admonish them to obedience, and so I dowt not but your lordship have distributed the same unto other of our brethren within this province of Canterbury; whereupon hath ensued in the most part of the realm an humble and obedient conformitie, and yet some few persons, I fear more scrupulous than godly prudent, have not conformed themselves: peradventure some of them for lack of particular description of orders to be followed, which as your lordship doth know, were agreed upon amonge us long agoe; and yet in certeine respects not published now for the speedy reformation of the same, as the quenes highness hath expresly charged both you and me of late. Being therefore cauled to her presence to see her lawes executid, and good orders decreed and observed, I can no less do of my obedience to almighty God, of my allegiance to her princely estate, and of sincere zeal

to

to the truth and promotion of christian religion now established, but require and charge you, as you will answer to God, and to her majestie, to see her majesties lawes and injunctions duly observed within your dioc. and also theis our convenient orders described in theis bookes, at theis present sent unto your lordship; and furthermore to transmitt the same bookes with your lettres (according as hath been heretofore used) unto all others of our brethren within this province, to cause the same to be performed in their severall jurisdictions and charges. And where we have of late the 26th day of this present monthe of March, called before us, according to the quenes majesties commandement in this behalf signified all manner of parsons, vicars, and curates servinge within the citye of London, and have commanded divers of them in their obedience, who have considered their duties in this behalf; so have we also from this day fourth, suspendid all ministers expressly refusing conformitie from their public ministracion whatsoever, and have also denounced sequestration of all the frutes of ther levings so long tyme as they shall remayne in this disobedience; signifying further, that if within the space of three moneths, from thense next ensuing this advertisement, either any of them do attempt to offend in the like disobedience, and be therefore convicted by the no-

torious evidence of the facts, or shall continue without reconciling of themselves, and promising and subscribing their conformitie to the lawes and orders agreeable, to be then deprived "ipso facto" of all ther spiritual promotions in which case it may be lawful in due order of lawe to all patrons and doners of all and singuler the same spirituall promotions, or any of them, to presente or collate to the same, as though the person or persons so defending were dead; after which like sort all other ordinaries, after notice given unto all persons within their jurisdictions of the lawes, injunctions, and other orders established for the same conformitie, I think will follow in order the same example, whereby we trust all contention and just offence amongst the quenes subjects may at the last be suppressed, peace, and quietness in unitie of doctrine, and uniformitie of exterine behaviours recovered, the quenes majesties authoritie revered, her lawes obediently regarded, to the promotion of the truth of the gospell, and to the glory of almighty God, to whom for this tyme I committ you in all grace and vertue as my self. From my house at Lambeth the 28th day of Marche, M.D.LXVI.

Your lovinge brother,

MATTHEW Cantuar.

Archiepisc. Cant.
MATTH. PARKER 8.

Anno Christi
1567.

Reg. Angliae
ELIZAB. 9.

The archbishop's letter to the bishop of London about the clergy of his diocese.
Ex reg. Parker fol. 260. a.

AFTER my right hartie commendations unto your lordship premised; thes shal be to desyre and require you, for causes good and urgent, to certifie me in writing distinctly, on this side the first day of the next Michelmas terme, the names and surnames, degrees, and reputed age of all and singular, as well your dean, archdeacons, dignities, and prebendaries within your cathedral church, as of all and singular others any wayes beneficed, or having any spirituall promotion within your said diocess, and how many of them be resident upon their said spirituall promotions, and where, and

in what place, and caulging the absentes do dwell, how many of all such be ministers or deacons, and how many no prestes or deacons; noting also who, and how many of the foresaid be lernid, and able to preach, and how many be licensid thereto, and by whom they be so; and finally how many of them do kepe hospitality upon heir benefices within their said diocess, with a like note of all vacant benefices, and the names of such as do receive the frutes thereof. Thus not doubting your lordship's speedy diligence herein, I wish you well to fare. From my mannor of Lambeth this, etc.

Articles to be enquired of in the metropolitical visitation of the most reverend father in God Matthew, by the providence of God archbishop of Canterbury, primate of all England, and metropolitan, in al and singular cathedral and collegiate churches within his province of Canterbury. Strype's life of Parker app. p. 85.

I. FIRST, Whether your dean, archdeacons, and other dignities of your church be resydent or not? whether they be graduates? what other promotions or livings every one of them hath? whether every one of them be ministers or not? whether they use semely or priestly garments, according as they are commanded by the quenes majesties injunctions to doe?

II. Item, Whether your prebendaries be resydent, or how many of them? where every one of the rest be? what be their names? what livings they have? what orders they be in? how, or in what apparel they do commonly goe? whether they do preach in their course? or how often? and in what time of the yere they do resort to your cathedral church?

III. Item,

III. Item, Whether your divine service be used, and your sacraments ministred in manner and forme prescribed by the quenes majesties injunctions, and none other way? whether it be said or songe in due time? whether in al points according to the statutes of your church, not being repugnant to any of the quenes majesties laws or injunctions? whether al that were wonte be bound, or ought to come to yt, do so styl? and whether every one of your church openly communicate in the said cathedral church, at the least thrice in the yere?

IV. Item, Whether your grammar school be wel ordered? whether the number of the children thereof be furnished? how many wanteth? and by whose default? whether they be diligently and godly brought up in the fear of God, and wholesome doctrine? whether any of them have been received for money or reward, and by whom? whether the statutes, foundations, and other ordinances touching the same grammar school, and schoolmaster, and the scholars thereof, or any other having doing or interest therein, be kept? by whom it is not observed, or by whose fault? and the like in al points you shal enquire and present of your choristers and master.

V. Item, Whether al officers and ministers of your church, as wel within as without, do their duties in al points obediently and faithfully? and whether your dean, stewards, treasurers, pursers, receyvers, or any officer having any charge, or any ways being accomptant to the said church, do make a plain, faithfull, and true accompt at such days and times, as be limytted and appointed by the statutes, or custome of the said church; making full payment reallie of all arrearages? whether any mony or goods of the church do remaine in any mans hands? who they be? and what sum remaineth?

VI. Item, You shall enquire of the doctrine and judgment of al and singular hedd and members of your church; as your dean, archdeacons, prebendaries, readers of divine service, schoolmasters, vicars, petti-cans, deacons, conducts, singing men, choristers, scholars in grammar schools, and al other officers and ministers, as wel within your church, as without; whether any of them do either privlie or openlie preach or teach any unwholesome, erroneous, seditious doctrine, or discourage any man from the reading of the holy scriptures soberly for his edifying; or in any other point do perswade or move any not to conform themselves to the order of religion reformed, restored, and received by public authority in this church of England. As for example, to affirm and maintain that the quenes majesty, that now is, and her successors, kings and quenes of this realm of England, is not, or ought not to be head, and chief governour of this her people, or church of England, as wel in ecclesiastical laws, causes, or matters, as temporal; or that it is not lawfull for any particular church, or province to alter the rites and ceremonies publickly used, to better edification; or that any

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man may, or ought by his private authority, do the same; or that any man is to be born with, which do extoll any superstitious religion; as reliques, pilgrimages, lightings of candles, kissing, kneeling, or ducking to images; or praying in a tongue not known, rather than English, or to put trust to a certain number of "Pater nosters," or use any beads for the same, or such other things, or to maintain purgatory, private masses, trentalls, or any other fond fantasy invented by man, without ground of God's word; or to say, teach, or maintain, that children being infants should not be baptised; or that every article in our Crede, commonly received and used in the church, is not to be believed of necessity; or that mortal or voluntary sins committed after baptisme, be not remissible by penance; or that a man, after that he have received the Holy Ghost, cannot syn; or that afterwards he cannot ryse again by grace to repentance; or that any man lyveth without syn; or that it is not lawfull to swear for certain causes, or that civil magistrates cannot punish, for certain crimes a man with death; or that it is lawful for any man, without outward calling of the magistrates appointed, to take upon him any ministry of Christ's church; or that the word of God doth condemne the regiment of women; or that the word of God doth command sole lyfe, or abstinence from marriage to any minister of the church of Christ, not having the gift of God to live sole; or any other errors, or false doctrine, contrary to the faith of Christ and holy scriptures.

VII. Item, You shall enquire of the names and surnames of al and singular the abovenamed members, officers, ministers of this your said church, whether you know, or suspect any of them to attaine his room, or lyving by simonie, that is by mony, unlawful covenant, gyft, or reward? who presented him? whether his lyving be in lease? and by whom it is leased? to whom? upon what rent? whether he doth pay any pension for it? for what cause? what sum? and to whom? Whether any of them be known, or suspected to be a swearer, an adulterer, a fornicator, or suspected of any other uncleannes? whether any of them do use any suspect house, or suspected company of any such faults, any taverne, alehouse, or tippling houses, at any inconvenient seasons? whether any of them be suspected to be a drunkard, a dicer, a carder, a brawler, fighter, quarreler, or unquiet person, a carier of tales, a backbyter, slanderer, bate-maker, or any other ways a breaker of charity or unity, or cause unquietness by any means?

VIII. Item, Whether you have necessary ornaments and books of your church? whether your church be sufficiently repaired in al parts? what stock or annual rent is appointed toward the reparation of the cathedral church? in whose hands or custody doth it remain?

IX. Item, Finally, you shall present what you think necessary, or profitable for the church, to be reformed, or of new to be appointed, and ordained in the same.

T t t

Queen

Archiepisc. Cant.
MATTH. PARKER 9.

Anno Christi
1568.

Reg. Angliae
ELIZAB. 10.

Queen Elizabeth's and the archbishop of Canterbury's orders for enquiry what strangers were come into the realm for pretence of religion. Reg. Parker I. fol. 270. b.

To the right honourable and my lovinge brother, the busshop of London, yeve thes.

AFTER my right hartie commendations unto your good lordship premised. Whereas I have of late receivid the quenes majesties most honourable lettres missive, the true tenor whereof hereafter ensueth:

Most reverend father in God, right trustie and right well beloved, we grete you well. Forasmuch as we do understand that there do dayly repair into this our realme great numbers of strangers from the parties beyond the seas, otherwyse than hath been accustomed; and the most parte thereof pretending the cause of there coming to be for to lyve in this realm with satisfaction of ther conscience in christian religion, according to the order allowed in this our realme; and doubting lest that amongst such numbers, divers may also resorte into our realme, that are infectid with dangerouse opinions, contrary to the faith of Christ's church, as Anabaptistes, and such other sectaris, or that be guilty of some other horrible crimes of rebellion, murder, robberyes, or such like committed by them in the partes from whence they do come, to which kynde of people we do in no wise meane to permitte any refuge within our dominions: therefore we do will and require you to geve spedy order and commaundment to the reverend father in God the byshop of London, and all other ordinaries of any place, where you shall thinke any such confluence of strangers to be within your province, that without delaye, speciall and particular visitation, and inquisition be made in every parish for this purpose, requisite, of all manner of persons being strangers borne, of what country, qualitie, and estate soever they be, with the probable causes of ther coming into this our realme, and the time of ther continuance, and in what sort they do lyve, and to what churches they do resorte for exercise of christian religion, with such other things requisite in this case to be understonde, for the worthiness of there continuance in this our realme; and therupon to cause perfecte registers to be made, and so to continue, and to geve advertisement to our justices, and ministers of our lay power, to proceed spedily to the trial of such, as shall be found suspectid of the foresaid crimes or otherwise, that shall not be conformeable to such order of religion as is agreable to our lawes, or as is permitted to places specially appointed for the resorte of strangers, to the exercise of religion in the use of common prayer and the sacraments: and in all other things we will and require you to use all good diligence and pro-

vision, by the meanes of the byshopes and ordinaries under you, as well in places exempte as otherwise, that no manner of strangers be suffered to remayn within any part of our dominions in your province, but such as shall be knowne or commonly reputed to be of christian conversation, and meate to lyve under our protection, according to the treatise of enter-cours betwixt us and other princes our neighbours. Yeoven under our signet at our mannor of Grenewiche the 13th day of May, M.D.LXVIII. the tenth yere of our reign. Thes shall be therfore in the quenes majesties name to will and require your lordship, that having regard (as I doubt not but you will) to the execution of the quenes majesties said lettres within your own diocess, you do also forthwith signifie the tenor thereof to all and singuler my brethren, the other bishops and other ordinaries within my province, where you shall thinke any confluence of strangers to be; willing and commanding them, and every of them, in the quenes majesties name, without delaye to cause the tenor of her majesties said lettres to be executed through every of ther severall diocesses and jurisdictions, as well in places exempt as not exempt, as to them and every of them shall appertayne. And thus I byd your lordship most hartely well to fare as myself. From my house at Lambeth the 24th of May, M.D.LXVIII.

The articles of enquiry were as follow.

Articles inquired of in the serche for the number of straungers within the city of London, and about the same, in the months of November and December last past, viz. anno Domini M.D.LXVII.

I. First, You shall inquire how many straungers and aliens, as well men, as women and children, are dwelling and resyent, or abiding within your severall parishes; and of what nation they be?

II. Item, How long every of them have been dwellyng or abyding there, and what the names of every of them are, and about what time every of them came first hither?

III. Item, Of what trade, lyving, or occupation they be, and how many of them are vehemently suspected or defamed of any evil lyving, or to be setters forward or favourers of any naughtie religion or sect?

IV. Item, Whether they do resorte to their parish churches to hear divine service, and to receive the sacraments, as others of the parishioners do, or are bound to do?

V. Item,

The queen's and archbishop's orders about STRANGERS, etc. 255

V. Item, How many of them absent themselves from theyr said several parish churches, and what their names be?

VI. Item, How many of them resorte to their churches appointed for straungers here in the city of London?

Archiepsic. Cant.
MATTH. PARKER IO.

Anno Christi
1569.

Reg. Angliæ
ELIZAB. II.

A licence for severall recreations on Sunday tollerated by queen Elizabeth.
Ex apographo in præfat. Tho. Hearnii ad Cambden. Elizab. p. 28.

*To all majors, shereffes, constables, and other
bed officers within the countie of Middle-
sex.*

AFTER our hartie commendations. Whereas we are enformed that one John Secon-ton Powlter, dwellinge within the parishe of St. Clementes Daines, beinge a poore man, havinge foure small children, and fallen into decaye, ys lycensed to have and use some playes and games at or uppon nyne severall Sondaies for his better releif, comforte and sustentacion within the countie of Middlesex, to comense and begynne at and from the 22d daie of Maye next comynge after the date hereof, and not to remayne in one place not above thre severall Sondaies; and, we consideringe that great resorte of people is lyke to come thereunto, we will and require you as well for good order, as

also for the preservation of the quenes majesties peace, that you take with you foure or fyve of the discrete and substanciall men within your office or liberties, where the games shal be put in practise, then and there to foresee and doo your endeavor to your best, in that behalf duringe the contynuanee of the games or playes, which games are hereafter severallie mencyned, that is to saye; the shotinge with the stand-erd, the shotinge with the brode arrowe, the shotinge at the twelve skore prick, the shotinge at the Turke, the leppinge for men, the runninge for men, the wrastringe, the throw-inge of the sledge, and the pytchinge of the barre, with all suche other games as have at any time heretofore or now be lycensed, used, or played. Yeoven the 26th daie of April in the eleventh yere of the quenes majiestie's raigne.

*The archbishop's letter to the bishop of London about the provision of arms to be
made by the clergy.* Reg. Parker I. fol. 278. a.

AFTER my hartie commendations unto your good lordship premised. I have of late received (as your lordship knoweth) commandment from the quenes highness, and her honorable privy counsell, to take order for a certain view to be had, and with spede certified, of armour to be provided by the clergy of the province of Cant. according to the proportion and rate prescribed and used in the tyme of the raigne of the late king and queen, king Philippe and queen Mary, which rate and proportion is to theis lettres in a schedule annexed; these are to will and requier your lordship to geve order as well to the clergy of your own dioces, for the reddey performance of the same, as also to signifie the said commandment to the residewe of my brethren, the other bysshopes of my province of Cant. willing and commanding them, and every of them forthwith to accomplish her highness said commandment in every ther several dioces and jurisdictions, as to them and ther bounden dueties appertayneth, and the same view by them and every of them so taken, according to the said rate and proportion, spedely to certifie unto me at Lambeth, with the names, furnames, and promotions of all that, according to the said schedule, be chargeable with any such provision. And thus I byd your lordship most hartely well to fare as my self. From my house at Lambeth the 6th of May, M.D.LXIX.

Whereas the lordes of the quenes majesties most honorable privye counsaile have geven

commaundment for the provision of armour and other furniture by the clergie of this realm, according to such order and rates, as was used in the tyme of the late king Philippe and queen Mary, the several rates and order then used in that behalf are hereafter particularly specified; videlicet.

That every one of the clergie having landes, or possessions of estate of enheritance of freholde, shall provide and find, and be chargeable with armour, horses, and other furniture in such sort, and in manner, and forme, as every temporall man is charged, by reason of his landes and possessions, by vertue of the statute made in the fourth and fifth yeres of the reignes of the late king Philippe and queen Mary.

Item, That every one of the said clergie, having benefites, spiritual promotions or pensions, the clere value whereof, either by themselves, or joyned together, do amounte to the clere yerely value of xxx.l. or upwards, shall be bound and charged to provide, have, and maynteyne armour, and other provision, requisite, according to such proportion and rate, as the temporaltie are bound and charged by the said statute, by reason of their moveable goodes.

Item, If any of the clergie of this realm have both temporall landes and possessions, and also spiritual promotions, he shall be charged with armour and other provision according to the greatest rate of one of them, and not with both.

Observe

256 *Archbishop's letter about provision of arms by the CLERGY.*

Observations in rating the proportion of armour.

I. First, The bishop to rate himself amongst the temporalties for landes.

II. Secondly, To rate the dean and prebendaries, as the temporalties, for goods from xxx. l. upwards.

III. Item, To rate the whole diocess in like sorte.

IV. Item, To accompte such as be resident within the diocess under the somme of xxx. l. and yet having benefices or pensions elsewhere to make up the same somme or upwardes, to be rated there amonge the supplies.

V. Item, to rate every incumbent where he is resident, and every ordinarie chaplain not resident, in the diocess where he serveth.

Archiepisc. Cant.
MATTH. PARKER 10.

Anno Christi
1569.

Reg. Angliae
ELIZAB. II.

The archbishop of Canterbury's letter to the chapter of York about the same.
Reg. Parker I. fol. 278. b.

AFTER my most hartie commendations premised. Whereas in the time of the late king Philippe and quene Mary, there was a certain proportion and rate prescribed and used, for armour to be founde and maynteined by the clergie of this realm of England, which rate and proportion is mentioned, and described in a schedule therein enclosed, I have of late receivid commandment from the quenes majestie, and her honorable privy counsaile, for a certain vewe to be had, and with speede certified, of the said armour to be provided by the clergy of my province of Canterbury, according to the rate and proportion containid in the schedule above mentioned; wherein like as

I have geven order for the due and spedy accomplishment of the quene's majesties said commandment throughout my province, so I thought convenient to geve you advertisement thereof; wishing you to have due regard for the like vewe to be had, and with all convenient speed certified throughout the province of York, where you have charge and jurisdiction, during the vacation of the archiepiscopal see there; and the same vewe so taken, to certifie to the honorable privy counsaile with speade convenient. And thus I byd you most hartily well to fare. From my house at Lambeth the 16th of Maye, M.D.LXIX.

Letter of the council to the archbishop of Canterbury about the recovering the discipline of the church. Ex originali in sylloge epist. annex. Tito Livio For-Julienfi edit. Hearn, p. 179. seq.

AFTER our very heartie commendations to your good lordship. The queen's majestie of late in conference with us upon the state of this her realm, among other things meet to be reformed, is moved to think, that universally in the ecclesiastical government the care and diligence, that properly belongeth to the office of bishops, and other ecclesiastical prelates and pastors of this church of England, is of late years so diminished and decayed, as no small number of her subjects, partly for lack of diligent teaching and information, partly for lack of correction and reformation, are entered either into dangerous errors, or into a manner of life of contempt or libertie, without use or exercise of any rite of the church, openly forbearing to resort to their parish churches, where they ought to use common prayers, and to learn the will of God by hearing of sermons, and consequently receive the holy sacraments. Of the increase of which lamentable disorders her majestie conceiveth great grief and offence, and therefore hath expressly charged us to enquire the truth hereof by all good means possible, and to provide speedily for the reformation and remedie hereof. Whereupon according to her majesties charge, and as we find it very requisite of our own dueties, as well towards almighty God, as to her majestie and our countrey, we have entered into a further consideration hereof;

and though we find a concurrencie of many causes, whereupon such general disorders and contempts have of late years grown and encreased, (the remedie whereof we mean to seek and procure by as many other good meanes as we can) yet certainly we find no one cause hereof greater, nor more manifest, than an universal oversight and negligence (for less we cannot term it) of the bishops of the realm, who have not only peculiar possessions, to find, provide, and maintain officers, but have also jurisdiction over all inferior ministers, pastors, and curates, by them to enquire or be informed of these manner of contempts and disorders, and by teaching and correction to reform them. Or if the offenders should for any respect appear incorrigible, thereof to make due information to her majestie, as the supream governor under God of the whole realme. And surely, though we know, that some of the bishops of the realme are to be more commended than some other, for preaching, teaching, and visiting of their diocese, yea and for good hospitality, and other good examples of life; yet at this time doubting, that a great part of the realm in sundrie places is touched with the infection of these disorders, tho' some more, some less, and (as we fear) no bishoprick fully free: we have therefore necessarily concluded to notifie to every one of the bishops alike this her majesties carefulness

ness and desire to have her realm herein reformed, and for that purpose at this present, to seek the understanding of every diocese in certain points thereafter following. And therefore we will and require your lordship in her majestie's name, that first ye will earnestly conceive, and thankfully allow, of this her majestie's godly disposition, and next that yow do circumspectly and as quietly, as yow may (without any manner of proceeding, likely to breed public offence) enquire or cause to be enquired by such, as are faithful officers, and not dissemblers, what persons they be, and of what qualitie, degree, and name, that have not of late time resorted to their parish churches within your diocese, or have not used the common prayers, according to the lawes of the realm, or have not at usual times received the holy sacrament, and how long they have forborn. And further also we require to be advertised, what ecclesiastical public officers yow have under your lordship in your diocese, who they be, what their names and degrees, ordained to see to the execution of the laws of the church. Likewise what preachers yow have, properly for the more part conversant with yourself in your household, and what other preachers residing abroad in your diocese, and what ecclesiastical livings every of them hath, with the values thereof, or what other stipends they have, wherewith they have any maintenance or sustentation to continue in the functions. Likewise we require yow by authority of these our letters to conferr with the dean and chapter of your cathedral church, and with the heads of any other collegiate church in your diocese, or with any other persons having any peculiar jurisdiction within your diocese, and cause them to certifie distinctly by writing, what number of prebendaries, canons, and preachers they have, which do reside within the said churches and jurisdictions, and how many do not reside, and how many of them do, and not use to preach, and what be their names and degrees, and in like sort the names and degrees of them, that have any sustentation in their churches to preach, and yet do not reside, nor do preach. And likewise we desire to be advertised, what churches or places ordained to have common prayer, are by any meanes presently void of curates, and in whose default the same happeneth, and in what sort yow think the

same may be best remedied. And whilst yow shall be occupied in the inquisition hereof, wherein we would have yow use all good diligence; we heartily and earnestly require your lordship, as yow would be counted worthy of your calling, to employ all your care and industry in procuring more diligent preaching and teaching within your diocese, as well by your self, as by all others having the gift to preach. And therein to use all charitable means by diligent instruction and faithful teaching and example of life, to stay the good, faithful, and obedient subjects in their duties, and to induce and perswade others to return from their disorders and errors, so as all parties may observe their duties in the public and open service of almighty God, according to his ordinance, and as by the common order of the realm is for God's honour established. And whatsoever your lordship shall think meet and needful to be granted or devised for your further assistance, thereof to advertise us, whom yow shall find ready to add and satisfie yow as farr forth, as we shall find in our powers reasonable, either by our selves, or by meanes to her majestie, whom we perceive earnestly disposed to have the glory of God increase, by the due reverence of all her subjects in his service, according to his blessed word and commandment. And thus we bid your good lordship well to fare. From Windfore 6th of November, M.D.LXIX.

Your lordship's loving friends,

N. Bacon Canc.	W. Howard.
F. Bedford.	R. Sadleir.
E. Clynton.	F. Knollys.
W. Northt.	Wa. Mildmay.
R. Leicefter.	W. Cecil.

Postscript: We pray your lordship not to delay the answering to us with speed the names of the recusants to come to church, without delaying for the rest, and to procure the like certificates of these matters from the bishopricks of Chichester and Oxford now vacant, and to that end to send them a copie of these our letters, with special charge to see the same accomplished.

Archiepisc. Cant.
MATTH. PARKER II.

Anno Christi
1569.

Reg. Angliae
ELIZAB. 12.

Articles to be enquired of within the diocese of Canterbury, in the ordinarie visitation of the moste reverende father in God Matthew, by the providence of God archebysshop of Canterbury, primate of all Englande and metropolitane, in the yeare of oure Lorde God M.D.LXIX. Ex reg. Parker I. fol. 302. a.

INPRIMIS, Whether divine service be sayde or songe by youre minister or ministers in your severall churches duely and reverently, as it is set forth by the lawes of this realme, without any kinde of variation. And whether the holy sacramentes be likewise ministred reverently in such manner, as by the lawes of this realme, and

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by the quene's majesties injunctions, and by thadvertisementes set forthe by publike authority is appointed and prescribed.

II. Item, Whether you have in youre paryshe churches all things necessary and requisite for common prayer and administration of the sacraments, specially the booke of common prayer,

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the Bible in the largest volume, the homilies, with the paraphrases of Erasmus, a convenient pulpit well placed, a comly and decent table for the holy communion covered decently, and set in place prescribed by the quene's majesties injunctions. The cheste or boxe for the poore men, and al other thinges necessary in and to the premisses. And whether your aulters bee taken downe, accordinge to the commaundemente in that behalfe geven.

III. Item, Whether youre prestes, curates, or ministers do use in the time of the celebration of divine service to weare a surples, prescribed by the quene's majestie's injunctions and the boke of common prayer. And whether they do celebrate the same divine service in the chauncell or in the church, and do use all rites and orders prescribed in the boke of common prayer, etc. and none other.

IV. Item, Whether your curates or ministers do publiquely in their open churches reade in manner appoynted the quene's majestie's injunctions and homelies: the aduertisements lately sette forth by publique authoritie. And whether the same in all poyntes be duly observed.

V. Item, Whether youre curates or ministers or any of them do use to minister the sacramente of baptisme in basons, or els in the fonte standing in the place accustomed. And whether the same fonte be decently kepte. ¶ And whether they do use to minister the holye communion in waferbread according to the queene's majestie's injunctions, or els in common bread. ¶ And also whether they do minister in any prophane cuppes, bowles, dishes, or chalices heretofore used at masse, or els in a decent communion cuppe provided and kept for the same purpose only. And whether the communicants do use to receyve the holy communion standinge, sittinge, or els knealinge.

VI. Item, Whether ymages and al other monuments of ydolatri and superstition be destroyed and abolyshed in your severall paryshes. And whether your churches and chauncels be well adorned and conveniently kept without waste, destruction, or abuse of anye thinge. Whether the roode losse be pulled downe, according to the order prescribed: and if the partition betweene the chauncell and the church be kepte. Whether youre churchyardes be well fenced and cleanly kepte. Whether anye sale have been made of youre church goods, by whom and to whom, and what hath been done with the moneye thereof commyng. Whether youre chauncels and parsonages be well and sufficiently repaired. Whether any man have pulled downe or discovered any church, chauncel, chappel, almshouse, or fuche like, or have plucked downe the bells, or have felled or spoyled any wood or timber in any churchyarde.

VII. Item, Whether there be any parsons, that intrude themselves, and presume to exercise any kinde of mynistry in the church of God without imposition of handes and ordinary auctority. Whether their church or chap-

pell be served with any readers. Or whether any minister do remove from any other diocese to serve in this without letters testimoniall of the ordinary from whome he came, to testify the cause of his departyng thence and of his behaviour. Or any beinge once preist or minister, that dothe not minister or frequente and resort to the common prayer now used, and at tymes appoynted communicate. And whether anye fuche do goe and boaste himselfe lyke a layman.

VIII. Item, Whether youre parsons and vicars be resident continually upon their benefices. Whether they give themselves to devoute prayer, discrete reading of the scripture, and godly contemplacion, and releave the poore charitably to their hability, according to the queen's injunctions. Whether they pray for the prosperous estate of the quene's majesty, as is prescribed in her graces injunctions.

IX. Item, Whether anye of youre ministers dothe or hath admitted any notorious sinner or malicious person out of charitie, withoute juste penance done and reconciliation had, to receive the holy communion; or any that hath not received the same accordinge as to a christian appertayneth, and by the lawes it is appoynted. And whether you do heare or knowe any, that doth use to say or heare the private masse, or doe use any other service, then is prescribed by the lawes of this realme.

X. Item, Whether your ministers doe call upon fathers, mothers, and maisters of youthe to bringe them up in the feare of almighty God, in obedience and in convenient occupations. Whether they bee peacemakers and exhort the people to obedience to their prince, and to all other that be in authoritie, to charity and mutual love among themselves. Whether they geve themselves to superstition, and bee maintainers of the unlearned people in ignorance.

XI. Item, Whether your parsons, vicars, and curates be common gameners, hunters, haunters of tavernes or alehouses suspected of any notable crime, fauters of forrein poures, letters of good religion, preachers of corrupt doctrine, stubborne or disobedient to lawes and orders. Whether they be geven to filthy lucre. Whether they be light either in example of life, or in unwont and unfemely apparell.

XII. Item, Whether anye of your benefices be vacant, how longe they have ben vacant, who is patrone. Whether there be any laye or temporall men (not beinge within orders) or children, or anye other (within age) that hath or enjoyeth any benefice or spiritual promotion; any patron that suffereth any benefice to be vacante, and taketh the tithes and other fructes to himselfe.

XIII. Item, Whether your ministers keepe their registers well, and do present the copy of them once every yeare by indenture to the ordinary or his officers. And teache the articles of the fayth, and the tenne commaundementes, and the Lorde's prayer, as is prescribed them in the catechisme.

XIV. Item,

XIV. Item, Whether youre parsons and vicars have any other or mo benefices, where and in what countrey they bee: whether they came by them by symony, or other unlawful meanes. Whether they do let their benefices to farme, or els kepe them in their owne handes. Whether they keepe hospitalitie or not. Whether in their absence they leave their cures to honest, learned, or expert curates. Whether they make their ordinarye sermons accordinge to the queene's majestie's injunctions as they oughte to do, and saye their service sensibly and distinctly.

XV. Item, Whether the laye people be diligent in comminge to the church on the holy dayes, and with all humbleness, reverentlye and devoutelye do geve themselves to the hearinge of commune prayer in the time thereof, and otherwise occupy themselves in private prayers, readinge of scriptures, or other vertuous exercise. Yf anye be negligente or wilfull, whether the forfeiture be leved on their goods to the use of the poore, according to the lawes of this realme in that behalf provided. And what mony hath ben gathered by the churchwardens of the forfeits.

XVI. Item, Whether there be in your quarters any that openly or privily use or frequent any kinde of divine service, or common prayer, other then is set forth by the lawes of this realme: and disturbers of common prayers or letters of the worde of God to be reade, preached, or hearde: anye that by covert or crafty meanes deprave or contemne the same; or that speake to the derogation of the queene's majestie's authority and power, or of the lawes set out by publike authority.

XVII. Item, Whether there be amonge you any blasphemers of the name of almighty God, adulterers, baudes, or receavers of such persons, any suspected of incest or any other notorious fault, sin, or crime: any dronkardes, ribalds, common slanderers of their neighbours, raylers, or scolders, sowers of discord betweene neighbours by playes, rimes, famous libels, or otherwise.

XVIII. Item, Whether there be in your parishes any inkeepers, or alewives, that admit any resort to their houses in tyme of common prayer. Anye that commonlye absente themselves from theyre owne churches: or otherwise idely or lewdlye prophaneth the Sabbath day. Any that keepe any secrete conventicles, preachings, lectures, or readings contrary to the lawes. Any suspected of heresy, or that maintain any erroneous opinions contrary to the lawes of almighty God and good religion, by publike authority in this realme set forth.

XIX. Item, Whether there be in these parties, which minister the goodes of those, whiche be deade, without authority, any executors that have not fulfilled their testators will, specially in paying of legacies geven to good and godly uses; as to the reliefe of povertie, to poore schollers, orphans, highwaies, marriage of poore maidens, and suche like. Whether youre hospitals and almshouses be justly used ac-

cordinge to the foundation and auncient ordinances of the same. Whether there be any other placed in them, than poore, impotent, and needy persons, that hath not otherwise wherewith or whereby to live.

XX. Item, Whether there be any which of late have bequeathed in their testaments, or otherwise ther be appointed by ordinaries any summes of mony, Jewelles, plate, ornamentes, or annuities for the erection of any obites, diriges, trentals, or any such like use, now by the lawes of this realme not permitted; and if there be, that you present the names of such executors, the quantity and quality of the gift, that ordre may be taken therein accordingly.

XXI. Item, Whether there be any mony or stoke, appertaininge to any paryshe church, in anye manne's handes, that refuse or differeth to paye the same; or that useth fraude, deceite, or delaye to make anye accompte in the presence of the honestye in the parishe for the same. Whether youre churchwardens and others aforetyme, have gyven the yearly accompte, accordinge unto the custome as it hath been aforetyme used. Whether the store of the poore mennes boxe be openlie and indifferentlie given where nede is, without parcial affection. Whether any stocke of cattel or grain appertaininge to your churches be decayed; by whose negligence, and in whose handes.

XXII. Item, Whether youre schoolemasters be of a sincere religion, and be diligent in teaching and bringing up of youth. Whether they teach any other grammar, then such as is appointed by the queene's majestie's injunction annexed to the same, or not.

XXIII. Item, Whether there be anye among you that use sorcerie or inchauntement, magike incantations, or nigromancie, or that be suspected of the same.

XXIV. Item, Whether there be anye in these partes, that have married within degrees of affinity or consanguinity, by the lawes of God forbidden, so set out in a table for an admonition. Any man that hath two wives, or anie woman that hath two husbandes. Anie that beinge divorced or seperated aside, hath married againe. Anye married that have made precontracts. Anye that have married without banes thrise solemnelye asked. Anye couples married that live not together, but slanderously live apart. Any that have married out of the parishe church, where they ought to have the same solemnised.

XXV. Item, Whether any youre ordinaries within this dioces, their chauncellor, officials, commissaries, registers, and all and singular others, that have or do exercise any visitation or jurisdiction ecclesiastical within any part of this dioces, have uprightly, faithfully, and unfaynedly to the uttermost of their powers observed in theyre owne persons, and towards all other put in due execution the queene's majestie's ecclesiasticall lawes, statutes, injunctions, and al her highnes other commaundementes published for uniformitie of doctrine, and due order of the publike ministration of God's ho-
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ly worde and sacramentes, and have commend-
ed and favored all such as fought the same, and
condignely punished al suche as fought the
contrary.

XXVI. Item, Whether have any of them
at any time wittingly suffered faultes and trans-
gressions to remayne unpunished, for mony,
gayne, pleasure, frendeshippe, or any other af-
fectionate respecte; or yf any of them be or have
beene burdensome to the subjectes of their se-
verall jurisdictions, by exacting or takinge ex-
cessive fees, procurations, any rewardes or com-
modities by the way of promotion, gift, con-
tribution, helpe, loane, redemption of penance,
omission of quarter sermons, obtaining of any
benefice or office, or any other like ways or
meanes.

XXVII. Item, Whether the parishioners of
everye parishe duelye pay unto the collectors of
the same for the poore, accordinge to the sta-
tute in that behalfe provided, all suche sommes
of money as they be cessid at, or of benevo-
lence have graunted, for the reliefe of the poore,
or no, or whether any have or doe refuse to
paye the same or no.

Generally, Whether there be any evill livers
or offenders of the lawes of almightie God: a-
nie suspected of any notorious sinne, faulte, or
crime, to the offence of christian people com-
mitted: anie that stubburnlie refuse to conforme
themselfe to unitie and good religion: anie
that bruteth abroad rumors of the alteration of
the same, or otherwise that disturbeth good
orders, and the quietnesse of Christe's church
and christian congregation.

Archiepisc. Cant.
MATTH. PARKER II.

Anno Christi
1570.

Reg. Angliae
ELIZAB. 12.

*Damnatio et excommunicatio Elizabethae reginae Angliae, eique adhaerentium,
cum aliarum poenarum adjectione, per papam Pium quintum. Ex Bullario Ro-
mano vol. II. p. 303.*

Pius episcopus, servus servorum Dei, ad
perpetuam rei memoriam. Regnans in ex-
cellis, cui data est omnis in caelo et in terra
potestas, unam sanctam, catholicam, et aposto-
licam ecclesiam, extra quam nulla est salus, u-
ni soli in terris, videlicet apostolorum principi
Petro, Petrique successori Romano pontifici, in
potestatis plenitudine tradidit gubernandam.
Hunc unum super omnes gentes et omnia re-
gna principem constituit, qui evellat, destruat,
dissipet, disperdat, plantet, et aedificet, ut fi-
delem populum mutuae charitatis nexu con-
strictum, in unitate Spiritus contineat, salvum-
que et incolumem suo exhibeat salvatori.

Quo quidem in munere obeundo, nos ad
praedictae ecclesiae gubernacula Dei benignitate
vocati, nullum laborem intermittimus, omni
opera contendentes, ut ipsa unitas et catholica
religio (quam illius auctor ad probandam suo-
rum fidem et correctionem nostram, tantis pro-
cellis conflictari permisit) integra conservetur.
Sed impiorum numerus tantum potentia inva-
luit, ut nullus jam in orbe locus sit relictus,
quem illi pessimis doctrinis corrumpere non
tentarint; adnitente inter caeteros flagitiorum
ferva Elizabetha, praetensa Angliae regina, ad
quam veluti ad asylum omnium infestissimi
profugium invenerunt. Haec eadem, regno
occupato, supremi ecclesiae capitis locum in
omni Anglia, ejusque praecipuam auctoritatem
atque jurisdictionem monstruose sibi usurpans,
regnum ipsum jam tum ad fidem catholicam et
bonam frugem reductum, rursus in miserum
exitium revocavit.

Ufu namque verae religionis, quam ab illius
desertore Henrico VIII. olim everfam, clarae
memoriae Maria, regina legitima, hujus sedis
praesidio reparaverat, potenti manu inhibito,
secutisque et amplexis haereticorum erroribus,
regium consilium ex Anglica nobilitate confe-

ctum diremit, illudque obscuris hominibus hae-
reticis complevit, catholicae fidei cultores op-
pressit, improbos concionatores atque impieta-
tum ministros reposuit; missae sacrificium,
preces, jejunia, ciborum delectum, coelibatum,
ritusque catholicos abolevit; libros, manifestam
haeresim continentes, toto regno proponi, im-
pia mysteria et instituta ad Calvinii praescri-
ptum a se suscepta et observata, etiam a subdi-
tis servari mandavit; episcopos, ecclesiarum re-
ctores, et alios sacerdotes catholicos suis eccle-
siis et beneficiis ejicere, ac de illis et aliis rebus
ecclesiasticis, in haereticos homines disponere,
deque ecclesiae causis decernere ausa, praelatis,
clero, et populo, ne Romanam ecclesiam agno-
scerent, neve ejus praeceptis, sanctionibusque
canonicis obtemperarent, interdixit; plerosque
in nefarias leges suas venire, et Romani pontifi-
cis auctoritatem atque obedientiam abjurare;
seque solam in temporalibus et spiritualibus do-
minam agnoscere jurejurando coegit; poenas et
supplicia in eos, qui dicto non essent audientes,
imposuit; easdemque ab iis, qui in unitate fidei
et praedicta obedientia perseverarunt, exegit.
catholicos antistites, et ecclesiarum rectores in
vincula conjecit, ubi multi diuturno languore
et tristitia confecti, extremum vitae diem mi-
sere finiverunt. Quae omnia cum apud omnes
nationes perspicua et notoria sint, et gravissimo
quamplurimorum testimonio ita comprobata, ut
nullus omnino locus excusationis, defensionis,
aut tergiversationis relinquatur.

Nos multiplicantibus aliis atque aliis super a-
lias impietatibus et facinoribus, et praeterea fi-
delium persecutione, religionisque afflictione,
impulsu et opera dictae Elizabethae quotidie
magis ingravescente, quoniam illius animum ita
obfirmatum atque induratum intelligimus, ut
non modo pias catholicorum principum de fa-
nitate et conversione preces, monitionesque con-
tempserit,

tempserit, sed ne hujus quidem sedis ad ipsam hac de causa nuncios in Angliam trajicere permiserit; ad arma justitiae contra eam de necessitate conversi, dolorem lenire non possumus, quod abducamur in unam animadvertere, cujus majores de republica christiana tantopere meruere. Illius itaque auctoritate suffulti, qui nos in hoc supremo justitiae throno, licet tanto operi impares, voluit collocare, de apostolicae potestatis plenitudine declaramus praedictam Elizabetham haeticam et haeticorum fautricem, eique adhaerentes in praedictis, anathematis sententiam incurrisse, esseque a Christi corporis unitate praecisos; quinetiam ipsam praetense regni praedicti jure, necnon omni et quocunque dominio, dignitate, privilegioque privatam.

Et item proceres, subditos et populos dicti regni, ac caeteros omnes, qui illi quomodocunque juraverunt, a juramento hujusmodi, ac om-

ni prorsus dominii, fidelitatis, et obsequii debito perpetuo absolutos, prout nos illos praesentium auctoritate absolvimus; et privamus eandem Elizabetham praetense jure regni, aliisque omnibus supradictis. Praecipimusque et interdiciamus universis et singulis proceribus, subditis, populis, et aliis praedictis, ne illi, ejusve monitis, mandatis, et legibus audeant obedire. Qui secus egerint, eos simili anathematis sententia innodamus.

Quia vero difficile nimis esset, praesentes quocunque illis opus erit perferre, volumus, ut earum exempla notarii publici manu et praelati ecclesiastici, ejusve curiae sigillo obsignata, eandem illam prorsus fidem in judicio et extra illud, ubique gentium faciant quam ipsae praesentes facerent, si essent exhibitae vel ostensae. Dat. Romae apud S. Petrum anno incarnationis dominicae M.D.LXX. 5. cal. Maii, pontificatus nostri anno quinto.

Archiepisc. Cant.
MATTH. PARKER 12.

Anno Christi
1571.

Reg. Angliae
ELIZAB. 13.

Convocatio praelatorum et cleri Cant. provinciae inchoata in domo capitulari ecclesiae cathedr. D. Pauli London. April. 3. Ex reg. convoc. et excerpt. Heylin.

PRIMO hujus convocationis die in ecclesia S. Pauli London. coram archiepiscopo, episcopis, et clero Cant. provinciae, litania et hymno finitis, doctor Whitgift Latinum habuit sermonem ex Act. xv. "Convenerunt apostoli et seniores videre de verbo hoc:" in quo de instituto et auctoritate synodorum, de inimicis ecclesiae, puritantibus sc. et papistis, de usu vestimentorum et ornamentorum, et post de multis in futura synodo reformandis tractabat. Eo finito, episcopi et clerus domum capitularem intrant, ubi post exhibitum ab episcopo London. certificarium, archiepiscopus clero auctoritatem eligendi prolocutoris concedit, quem in proxima sessione praesentarent.

In ea (April 7.) preces Deo optimo maximo fundebat archiepiscopus, una cum quibusdam orationibus et collectis in sermone Latino in synodis (ut apparuit) dicendis editis. Quo facto, mag. Joh. Elmer prolocutor electus admittebatur. Et tunc reverendissimus voluit et iussit, ut omnes de coetu eorum, qui articulis anni M.D.LXII. haecenus non subscripserunt, modo iis subscribant; et quod omnes et singuli, qui iis subscribere noluerint aut recusaverint (si qui tales inveniantur) a dicta domo inferiori penitus excludantur.

In tertia sessione (April. 20.) archiepiscopus in capella regis Henr. VII. apud Westmonasterium cum praelatis et clero comparens, protestationi decani et capituli Westm. de privilegiis collegii respondit, se ea nullo modo infringere velle; unde Gabriel Goodman decanus reverendissimo facultatem concessit synodum ibi congregare per instrumentum, quod sub finem sessionis exhibebatur et erat hujus tenoris: Dictis D. et C. egregius vir dominus decanus tam ex causis, ex parte reverendissimi in Christo patris et domini dom. Matthaei, miseratione divina Cant. archiepiscopi, sibi expositis, quam ex aliis cau-

sis ejus animum in ea parte (ut asseruit) moventibus, eidem reverendissimo patri ad tenend. et celebrand. sacram convocationem cleri provinciae Cant. (alias per ipsum rev. patrem inchoatam) intra collegiatam ecclesiam D. Petri Westm. in loco seu locis quocunque seu quibuscunque ejusdem ecclesiae per ipsum R. patrem assignandis seu deputandis licentiavit, ac licentiam specialem dedit et concessit; ita tamen quod hujusmodi licentia nihil praejudicii fiat privilegiis collegii, sive ecclesiae collegiatae praedict. Et super inde requisitus me notarium publicum (viz. Tho. Wheeler) ad conficiend. sibi instrumentum, etc." Et tunc dictis et recitatis per eundem reverendissimum precibus consuetis, idem reverendissimus produxit instrumentum super concessione subsidii dominae reginae concedendi; cui domus superior primum, et deinde inferior assensum praebuerunt. In hac sessione etiam causa tractabatur Richardi, episcopi Glocestrensis, in prima et secunda sessione hujus convocationis non comparentis, et absque venia archiepiscopi urbe egredientis, nullumque substituentis procuratorem; et tandem praefatus reverendissimus pater, caeterique confratres sui unanimiter decernebant eum merito excommunicandum fore, quod et factum est his verbis:

"In Dei nomine, Amen. Cum nos Matthaeus, providentia divina Cantuar. archiepiscopus, totius Angliae primas et metropolitani, rite et legitime procedens reverendum in Christo patrem dominum Richardum, Glocestren. episcopum, ac commendatarium episcopatus Bristolien. alias propter suam contumaciam et manifestum contemptum in non comparendo coram nobis neque per se, neque per procuratorem suum in hac praesenti convocatione sive sacra synodo provinciali in domo capitulari ecclesiae cathedralis D. Pauli London. tertio die praesentis mensis Aprilis inchoata et

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celebrata, ac de die in diem usque ad hos diem et locum continuata et prorogata juxta citationem et monitionem ultimam et peremptoriam alias sibi ex parte nostra fact. pronuntiavimus contumacem, poenam contumaciae suae hujusmodi ad arbitrium nostrum reservando. Nos Matthaeus, archiepiscopus antedict. poenam contumaciae dicti episcopi et commendatarii nunc declarando, eundem episcopum et commendatarium de consensu confratrum nostrorum nobiscum in hac praesenti convocatione assidentium, excommunicamus in hiis scriptis.

Lect. per praefatum reverendissimum patrem dom. Matthaeum, archiepiscopum Cant. in capella regis Henrici VII. infra ecclesiam collegiatam D. Petri Westmon. 20. die mensis Aprilis, anno Domini M.D.LXXI.

JOH. INCENT, registrarius.

Hanc excommunicationem episcopi in sessione quarta (April 27.) archidiacono Glocestrensi, Ivy Eaton cum assistentia nuncii regii vulgo nuncupati "Pursuivant," committebant, mandantes ut dictas literas excommunicationis effectualiter denunciari faciat in dicta ecclesia cathedrali Glocestren. cum omni celeritate accommoda tempore concionis ibidem faciendae, et quam cito possit certificatorium executionis ejusdem remittat. Hoc facto, convocatio ad aedes Lambethanas continuata fuit.

In sequenti sessione (May 4.) precibus finitis, post tractatum aliquamdiu inter reverendissimum et confratres suos secrete habitum tandem unanimiter convenit, ut sequitur.

"That when the book of articles touching

doctrine shall be fully agreed upon, that then the same shall be put in print by the appointment of my lord of Sarum, and a price rated for the same to be sold.

Item, That the same being printed, every bishop to have a convenient number thereof to be published in their synods, throughout their several dioceses, and to be read in every parish church four times every year."

Duodecimo die ejusdem mensis Antonius Higgens, facellanus episcopi Glocestren. exhibuit procuratorium suum pro eodem reverendo patre, et fecit se partem pro eodem, et instanter petiit beneficium absolutionis eidem, quae jussu archiepiscopi per doctorem Yale, vicarium generalem, ipsi indulgebatur usque ad et in 25. diem praesentis mensis Maii, et deinde ob excusationem morbi ad 15. diem Junii.

Sessio sexta fuit die Veneris undecimo Maii, quando episcopi in coenaculo Lambethano congregati, de et super rebus ecclesiae et libro articulorum de doctrina, ut apparuit, secrete secretis omnibus arbitris, tractarunt. Tandem in sessione decima (Maii 30.) convocatio per breve regium dissolvebatur a doctore Yale.

Memorandum: quod decimo quinto die Junii Ant. Higgens, episcopi Glocestren. facellanus, allegavit episcopum adhuc aegrotum esse; super quibus obtulit se paratum ad faciend. fidem, petens eundem rev. patrem a sententia excommunicationis suae absolvi. Et tunc facta fide de veritate allegationis hujusmodi, reverendissimus de consensu confratrum suorum (Winton, Ely, et Sarum) eundem reverendum patrem episcopum Glocestren. in persona dicti Antonii Higgens, procuratoris sui, ad et in 14. diem Octob. prox. futur. absolvit, etc.

Archiepisc. Cant.
MATTH. PARKER 12.

Anno Christi
1571.

Reg. Angliae
ELIZAB. 13.

Queen Elizabeth's letter to the archbishop for uniformity in church matters.

Strype's Parker p. 330.

MOST reverend father in God, right trusty and right wellbeloved, we greet you well. Where we require you, as the metropolitan of our realm, and as the principal person in our commission for causes ecclesiastical, to have good regard, that such uniform order in the divine service and rules of the church might be duly kept, as by the laws in that behalf is provided, and by our injunctions also is declared and explained; and that you should call to your assistance certain of our bishops, to reform the abuses and disorders of sundry persons, seeking to make alteration therein; we understanding that with the help of the reverend fathers in God, the bishops of Winton and Ely, and some others, ye have well entred into some convenient reformation of things disordered, and that now the bishop of Ely is by our commandment repaired into his diocese, whereby ye shall want his assistance; we minding earnestly to have a perfect reformation of all abuses, attempted to deform the uniformity prescribed by our laws and injunctions, and

that none shall be suffered to decline either on the left or on the right hand from the direct line limited by authority of our said laws and injunctions; do earnestly by our authority royal will and charge you, by all means lawfull, to procede herein, as you have begun. And for your assistance we will, that you shall, by authority hereof, and in our name, send for the bishops of London and Sarum, and communicate these our letters with them, and straightly charge them to assist you from time to time, between this and the month of October, to do all manner of things requisite to reform such abuses as afore are mentioned, in whomsoever ye shall find the same. And if you shall find in any of the said bishops (which we trust ye shall not) or in any other, whose aid you shall require, any remissness to aid and assist you, if upon your admonition the same shall not be amended, we charge you to advertise us. For we mean not that any persons, having credit by their vocation to aid you, shall for any respect forbear or become remiss in this service, tending

The queen's letter for UNIFORMITY *in church matters.* 263

tending to the observation of our laws, injunctions, and commandments. Given at our manor of Hatfield the 20th day of August, in the 13th year of our reign.

Archiepisc. Cant.
MATTH. PARKER 12.

Anno Christi
1571.

Reg. Angliae
ELIZAB. 13.

Liber quorundam canonum disciplinae ecclesiae Anglicanae anno M.D.LXXI.

Sequuntur in hoc libello certi quidam articuli de sacro ministerio, et procuratione ecclesiarum, in quos plene consensus est in synodo a domino Matthaeo, archiepisc. Cantuar. et totius Angliae primate et metropolitano, et reliquis omnibus ejus provinciae episcopis, partim personaliter praesentibus, partim procuratoria manu subscribentibus in synodo inchoata Londini in aede divi Pauli tertio die Aprilis, M.D.LXXI.

De episcopis.

OMNES episcopi diligenter docebunt evangelium, non tantum in ecclesiis cathedralibus, quibus praesunt, sed etiam passim, per omnes ecclesias suae cujusque dioeceseos, ubi maxime putabunt expedire.

Inprimis autem cohortabuntur populum ad lectionem, et auditionem sacrarum scripturarum; utque stans temporibus convenient ad suas quique ecclesias, et diligenter auscultent sacris concionatoribus; utque submisce et audiant pias preces, quae a ministro dicuntur, et una precentur ipsi, et caelestium mysteriorum, ut nunc in ecclesiis nostris auctoritate, et jussu totius regni legitime et pie procurantur, sint participes.

Episcopus quisque ante calendas Septembris proximas, advocabit ad se omnes publicos concionatores, quicumque erunt in sua cujusque dioecesi, et ab illis repetet facultates concionandi, quas habent, autentico sigillo consignatas, easque vel retinebit apud se vel extinguet. Deinde, delectu illorum prudenter facto, quoscunque ad illam tantam functionem aetate, doctrina, judicio, innocentia, modestia, gravitate, pares invenerit, illis novas facultates ultro dabit; ita tamen ut prius subscribant articulis christianae religionis publice in synodo approbatis, fidemque dent, se velle tueri, et defendere doctrinam eam, quae in illis continetur, ut consentientissimam veritati divini verbi.

Episcopus etiam atque etiam considerabit, quod genus hominum admittat in famulitium. Fit enim interdum, ubi haec cautio et diligentia non adhibetur, ut homines impios et verae religionis inimicos, et criminosos, et tota vita impuros, et sceleratos admittamus. Ex eo adversarius facile capiet maledicendi occasionem.

Episcoporum famuli in omni vestis genere ita se modeste et compositae ornabunt, ut fratres suos, quos Paulus appellat domesticos fidei, non offendant.

Episcopus nemini posthac manum imponet, nisi instituto in bonis literis, vel in academia, vel in inferiori aliqua schola; aut qui satis commode intelligat Latinam linguam, et probe versatus sit in sacris literis: nec nisi attigerit

aetatem illam legitimam, quae statutis et legibus est constituta: nec nisi cujus vita et innocentia gravium, et piorum hominum et episcopo notorum fuerit testimonio commendata: nec si in agricultura, vel in vili aliquo et sedentario artificio fuerit educatus: nec nisi qui titulum (quem appellant) aliquem habeat, ut sit unde vitam tueatur, si Dei permisso, vel in caecitatem, vel in gravem corporis infirmitatem, vel in morbum diuturnum incidat: nec nisi qui intra ipsius dioecesis sacro ministerio functurus sit: nec unquam nisi ubi sacrum aliquod ministerium in eadem dioecesi vacare contigerit. Neminem autem peregrinum, et ignotum vel ad sacerdotiorum proventus, vel ecclesiasticum ministerium recipiet, nisi ab illo episcopo, e cujus dioecesi discessit, literas commendatitias, quas appellant dimissorias, secum afferat.

Episcopus praebendarum, et beneficiorum suorum proximas secundas aut tertias advocaciones, quas vocant, nulli dabit (sunt enim et a bonis moribus, et a christiana charitate alienae) nec dimissiones fructuum, aut reddituum cujusunque rectoriae, aut ecclesiastici beneficii quacunque ratione in plurimos confirmabit.

Episcopus neminem, qui se otioso nomine lectorem vocet, et manus impositionem non acceperit, in ecclesiae ministerio versari patietur.

Quivis archiepiscopus et episcopus habebit domi suae sacra Biblia in amplissimo volumine, uti nuperrime Londini excusa sunt, et plenam illam historiam, quae inscribitur "Monumenta martyrum," et alios quosdam similes libros ad religionem appositos. Locentur autem isti libri vel in aula, vel in grandi coenaculo, ut et ipsorum famulis et advenis usui esse possint.

De decanis ecclesiarum cathedralium.

Eosdem illos libros, quos proxime diximus, decanus quisque curabit emi, et locari in ecclesia sua cathedrali ejusmodi in loco, ut a vicariis et minoribus canonicis, et ministris ecclesiae, et ab advenis, et peregrinis commode audiri et legi possint.

Eosdem libros illos decanus et primarius quisque residentiarius, quos appellant ecclesiae dignitates, ement suo quisque famulitio, eosque opportuno aliquo in loco, vel in aula, vel in coenaculo locabunt.

Decanus et praebendarii diligenter docebunt sacrum Dei verbum non tantum in ecclesiis cathedralibus ubi vivunt, sed etiam in aliis ecclesiis in eadem dioecesi, maxime vero in illis locis, unde ipsis redditus annui, et stipendia suppeditantur. Quod nisi fecerint, pro episcopi arbitrio puniantur.

Nullus

Nullus nec decanus, nec archidiaconus, nec residentiarius, nec praepositus, nec custos, nec praefectus alicujus collegii, aut ecclesiae cathedralis, nec praeses, nec rector, nec quisquam ex illo ordine, quocunque nomine censeatur, utetur posthac amictu illo, quem appellant Graium Amicium, aut alia ulla veste, simili superstitione contaminata. Sed in ecclesiis quisque suis utentur tantum linea illa veste, quae adhuc regio mandato retinetur, et scholastica epomide, quae suo cujusque scholastico gradui et loco conveniat.

Quivis decanus in singulos annos ad minimum quater residebit in ecclesia sua cathedrali, ibique singulis hujusmodi vicibus mensem integrum (si fieri potest) docendo verbum Dei, et hospitalitatem servando, moram faciet, nisi forte gravibus et urgentibus causis impediatur. Eas autem causas in singulas vices indicabit episcopo suo. Ubi autem venerit, una cum praebendariis residentibus curabit, ut statuta illius ecclesiae, nisi contraria sint (ut multa sunt) verbo Dei, et statuta hujus regni quaecunque sunt, quae ecclesiasticum ordinem attingunt, et sacrae injunctiones, vel a regia maiestate editae, vel episcopi in visitationibus illius ecclesiae cathedralis impositae, diligenter observentur. Praeterea decanus et residentiarii, quantum maxime possint, dabunt operam, ut minores canonici, aut vicarii et ministri ecclesiae, ne ignavi, et inutiles vitam ducant in otio, et illicitis lusuibus se exerceant, adigantur ad studia scripturarum, utque illorum quisque habeat Novum Testamentum, non tantum Latino sermone scriptum, sed etiam Anglico.

Decanus et residentiarii curabunt, ne qua alia forma observetur in canendis aut dicendis sacris precibus, aut in administratione sacramentorum, praeterquam quae proposita, et praescripta est in libro publicarum precum; nec ullum admittent peregrinum ad habendam sacram concionem ad populum, nisi ei aut regia maiestas, aut archiepiscopus illius provinciae, aut illius dioeceseos episcopus facultatem indulserit. Et si ejusmodi aliquis concionator, ita vel a regia maiestate, vel ab archiepiscopo, vel ab episcopo approbatus, publicabit ad populum pro concione doctrinam aliquam peregrinam, et impiam, et pugnantem vel cum sacro Dei verbo, vel cum articulis religionis nostrae approbatis in synodo, haud dubie cum eodem verbo Dei consentientibus, vel cum libro publicarum precum; decanus aut residentiarii primo quoque tempore indicabunt id episcopo literis suis, et eorum aliquot, qui concionantem audiverunt, manu consignatis, ut ille statuatur, quod videbitur.

De archidiaconis.

Quivis archidiaconus habebit domi suae et alios libros, et nominatim eos, qui inscribuntur Monumenta martyrum.

Archidiaconus, qui vel jure communi, vel praescriptione habet potestatem visitandi, semel in singulos annos in persona sua visitabit provinciam suam, neque quemquam sibi substituet officialem, nisi qui in academia fuerit educatus,

et juri civili operam dederit, et annum aetatis vicesimum quartum compleverit; et non solum doctrina, sed etiam gravitate, et modestia par sit obeundo illi muneri.

Archidiaconi, et illorum substituti, quos appellant officiales, in visitationibus suis vocabunt clerum ad rationem, quantum quisque promoverit in studio scripturarum, et quicunque ex illo ordine magisterium artium in academiis non attigerint, illis proponent partem aliquam Novi Testamenti memoriter ediscendam, eosque in proxima synodo ad repetitionem adigent, et contumaces, et negligentes episcopo indicabunt.

Peracta visitatione, archidiaconus significabit episcopo, quos invenerit in quoque decanatu, ea doctrina, et judicio praeditos, ut digni sint, qui pro concione doceant populum, et praesint aliis. Ex illis episcopus potest delectum facere, quos velit esse decanos rurales.

Archidiaconi in omnes delinquentes severe, et graviter animadvertent, neque connivebunt ad vitia, aut quemquam, quem constat offendisse, impune abire patientur.

Archidiaconi curabunt, ut forensium suorum actorum memoriae fideliter et tuto conserventur; et semel in singulos annos adferent ad episcopum suum originalia exemplaria omnia testamentorum, quae coram ipsis anno superiori probata fuerint, ut ea in episcopi registro asserventur; copias autem illorum testamentorum ad usum suum ipsi sibi describent, si velint.

De cancellariis, commissariis, officialibus.

Quivis cancellarius, commissarius, et officialis erit institutus in legibus ecclesiasticis et civilibus, qui annum aetatis vicesimum sextum attigerit, et in scholis doctrinae nomine gradum aliquem susceperit, et in forensibus causis mediocriter versatus fuerit, de cujus vita et moribus nullus sinister sermo audiatur. Adhaec quivis horum, aut erit in sacro ministerio, aut si non erit, tamen animo toto et ferventi zelo erga religionem feretur, idque aperte et ingenue prae se feret; et antequam in functionem ingredietur, sacramento se obstringet de auctoritate et primatu principis, atque etiam subscribet articulis de religione in synodo episcoporum approbatis.

Nullus horum, nec cancellarius, nec commissarius, nec officialis in cognitione causarum procedet usque ad ferendam sententiam excommunicationis, nisi tantum in causis instantiarum. In correctionis negotiis alia quidem facient omnia, quae de jure possint, et solent fieri.

Excommunicationis autem sententiam deferent tantum ad episcopum; eamque aut ipse per se pronuntiabit, aut gravi alicui viro in sacro ministerio constituto, pronuntiandam committet. Postquam autem sententiam tulerit, addet insuper commonendi populi, et terroris causa, formulam illam verborum, quae postea suo loco subjicietur; atque etiam aliam formulam similem, quae servanda sit in denuncianda ad populum excommunicatione, curabit describi, et mitti ad singulos ecclesiarum praefectos, ut habeant quo utantur, si usus postulet. Commutationem autem injectae poenitentiae nec cancel-

cancellarius faciet, nec archidiaconus, nec officialis, nec commissarius. Ea potestas multis gravibus de causis episcopo soli reservabitur, aut si quem alium episcopus ad eum usum speciali mandato designabit.

Ecclesiasticus iudex, cujuscunque loci aut ordinis, neminem excommunicatum absolvet domi suae, aut alioqui in privatis aedibus; sed tantum publice, et pro tribunali.

Cancellarii, officiales, commissarii omnem adhibebunt diligentiam, ut caeteri omnes qui ipsorum jurisdictioni subjiciuntur, officium faciant. Inprimis vero ut rectores, vicarii, et ministri ecclesiarum studiose versentur in sacris literis, et sibi libros ordini et professioni suae congruentes comparent, ut quicumque ad magisterium artium non accesserit, emat sibi duos libros Novi Testamenti, alterum Latine translatum, alterum Anglice, ut illorum quisque memoriter ediscat eam pensam scripturarum, quae illi vel ab ecclesiastico iudice ordinario, vel ab alio, cujus fidem et industriam episcopus eligere maluerit, fuerit imposita: ut observent ordines et ritus descriptos in libro publicarum precum, tam in legendis sacris scripturis, et precibus dicendis, quam etiam in administratione sacramentorum, ut neve detrahant aliquid, neve addant, neve de materia, neve de forma: ut honeste se gerant et in gravi vestitu, in libello admonitionum proposito, modeste et decenter ambulent; utque si familiam habeant, et uxores non habeant, mulierem aliam domi suae ne alant, nisi aut matrem, aut sororem, aut neptem ex fratre aut sorore; quod si coelibes vivant, et uxores non habeant, in taberna aut caupona cibum ne capiant, sed honesta aliqua in domo in eadem parochia, ubi sine suspitione possint vivere: ut ne ludant aleis, neve chartis, aut aliis improbatis lusibus se exercent: ut arcu tantum utantur et sagittis, idque animi causa, at modeste, et in tempore; ne vel ab officio faciendo, vel a sacrarum scripturarum studiis auferantur.

Videbunt etiam, ne rector, vicarius, aut parochus uspiam inserviat, vel in capella, vel in oratorio, ut publicas preces dicat in cujusque privatis aedibus, nisi episcopus illi autographo suo, et manus suae subscriptione ejus rei potestatem fecerit; ne rector aut vicarius, aut parochus inserviat plusquam uni ecclesiae, aut capellae uno die.

Quivis minister ecclesiae, antequam in sacram functionem ingrediatur, subscribet omnibus articulis de religione christiana, in quos consensus est in synodo; et publice ad populum, ubicunque episcopus jusserit, patefaciet conscientiam suam, quid de illis articulis, et universa doctrina sentiat. Semel autem receptus in sacram ministerium, ab eo in posterum non discedet, nec se aut vestitu, aut habitu, aut in ulla vitae parte geret pro laico.

Quivis rector ecclesiae, vicarius, aut parochus quotannis ante vicesimum diem a Paschate exhibebit episcopo, ejusve cancellario aut commissario nomina et cognomina parochianorum suorum tam marium, quam foeminarum (eorum inquam) qui cum exegerint annum aetatis suae

decimum quartum, tamen ad sacrosanctam communionem (uti statutis et legibus ecclesiasticis hujus regni tenentur) non accesserint; quique subire examen ecclesiastici ministri de ediscendo catechismo, et articulis christianae religionis detraxerint; quique parentes aut domini liberos aut famulos suos ad audiendum discendumque eundem illum catechismum constitutis temporibus ad ecclesiam mittere contempserint. Neminem autem patientur de sacro lavacro infantem suscipere, nisi qui ad mensam dominicam accesserit, et sanctorum mysteriorum particeps fuerit; ad mysteriorum autem communionem neminem admittet, qui catechismum et articulos fidei non didicerit.

Omnibus dominicis, et festis diebus rectores, vicarii, et parochi ita mature et convenienter captato tempore veniant ad ecclesias, ut parochiani confectis rebus suis, cum libris et famulis possint eodem occurrere; ibi vero reverenter (uti par est) et pie peragent sacrum mysterium ita clare, aperte, et distincte, ut populus audire, et intelligere possit quid dicatur, et ex eo consolationem et fructum capere. Eandem pietatem et reverentiam in sacrosanctis etiam mysteriis retinebunt, modo ne ad superstitionem, aut adorationem, aut idololatricum cultum vergant. Quodsi tempore sacrae communionis nulla erit concio, de scripto et e pulpito pronuntiabunt unam aliquam, aut aliam ex illis homiliis, quas jam antea publicavimus in illum usum. Interim cohortabuntur populum, ut diligenter veniant ad ecclesias, ut quae legantur, quaeque dicantur, attente audiant, utque se toto illo tempore reverenter, et modeste gerant. Et ne piorum animi insolentia et irreligiosa levitate offendantur, curabunt ne juvenes, praesertim rustici, quorum ingenia procliviora fere sunt ad neglectum pietatis, et nequitiam, neve pulsant campanas, neve per templum obambulent, neve inter se otiose colloquantur, neve aut risu, aut strepitu, aut scurrilibus ineptiis vel ministrum impediunt, vel offendant populum.

Admonebunt populum, ut frequentius accendant ad sacram communionem, utque jam antea tota mente (uti par est) sese praeparent. Et ut omnes intelligant, quid debeant Deo optimo maximo; quid principi, quem colere ac venerari debent ut vicarium Dei; quid legibus, quid magistratibus, quid fratribus suis, quid populo Dei; omnibus dominicis et festis diebus statim a meridie praesto erunt in templis, ibique minimum ad duas horas legent, et docebunt catechismum, et in eo instituent omnes suos omnium aetatum, atque ordinum, non tantum puellas aut pueros, sed etiam, si opus erit, grandiores. Inprimis vero admonebunt adolescentes et juvenes, non tantum mares, sed etiam foeminas, cautum esse legibus, ne quis illorum vel accedat ad sacram communionem, vel contrahat nuptias, vel infantem e sacro fonte suscipiat, nisi antea didicerit rudimenta religionis christianae, et possit ad omnes partes catechismi convenienter et dextre respondere.

Quod si rectores, vicarii, et parochi vel concionari non possint, vel facultatem concionandi ab episcopo non acceperint, tamen docebunt

pueros prima elementa legere, scribere, noscere officium suum, quid debeant Deo, quid parentibus, quidque aliis; et si quos ex illis viderint ea esse indole, ut possint institutione, atque cultu ad literarum cognitionem pervenire, hortabuntur parentes, ut eos deducant ad scholam, ut imbuti bonis disciplinis, possint aliquando idonei esse ad sacrum Dei optimi maximi ministerium; quos autem hebetiores, et ingenio a literis alieniore esse senserint, ut eos curent, vel ad alias artes, vel etiam ad opus rusticum ablegari.

Admonebunt etiam parochianos suos, magnis et gravibus de causis constitutum esse in synodo a reverendissimo patre Domino Matthaeo, archiepiscopo Cantuar. et aliis episcopis, ne liberi contrahant matrimonium sine consensu parentum; neve juvenis contrahendi potestatem habeat ante annum aetatis suae decimum sextum, neve puella ante decimum quartum.

De aedituis ecclesiarum et aliis selectis.

AEditui pro consuetudine suae quique parochiae, parochianorum suorum, et ecclesiastici sui ministri suffragiis eligentur; alioqui aeditui non erunt, nec amplius quam unum annum durabunt in illo munere, nisi forte iterum eligantur. Omnes autem aeditui semel in singulos annos reddent justam rationem earum pecuniarum, quae in suas manus pervenerunt; atque etiam indicabunt particulatim, quos sumptus fecerint in facta tecta et usum ecclesiae. Postremo vero discedentes ab officio, quicquid pecuniarum, aliarumque ecclesiasticarum rerum supererit, et in ipsorum erit potestate, id omne bona fide tradent parochianis, ut ab illis rursus tradi possit proximis aedituis.

AEditui curabunt ut ecclesiae plumbo, tegula, materia, vitro diligenter et probe reficiantur, ne vel minister, vel populus, aut in sacro ministerio et cultu Dei, aut in caelestium mysteriorum tractatione, aut in habenda et audienda communione, caeli injuriis quatiatur. In primis autem operam dabunt, ut in omni ecclesiastico conventu pax quammaxime conservetur; et in omnibus episcoporum atque archidiaconorum visitationibus fideliter et nominatim detegant, atque indicabunt eos omnes, qui sese in ecclesia immodeste gesserint, quique vel intempestiva pulsatione campanarum, vel ambulationibus, vel colloquio et strepitu ministrum aut concionatorem impediverint.

AEditui curabunt ut aedes sacrae, munde et sancte conserventur, ne cuiquam vel pulvere, vel ramentis, vel sordibus moveant nauseam. Curabunt etiam ut sacra Biblia sint in singulis ecclesiis in amplissimo volumine (si commode fieri possit) qualia nunc Londini excusa sunt, ut liber publicarum precum, ut sacrae homiliae, atque homiliae, quae nuper scriptae sunt contra rebellionem, sint in singulis ecclesiis. Hos libros quammaxime integros et mundos esse convenit; laceros autem aut sordidos nullo modo, ne populo fastidium, et contemptum pariant. Curabunt mensam ex afferibus compositae junctam, quae administrationi sacrosanctae communionis inserviat; et mundum tapetem, qui illam con-

tegat; et suggestum commodum, unde caelestis doctrina publicetur. Curabunt insuper ut omnia illa solaria, in quibus cruces lignae aliquando prostabant, et aliae reliquiae superstitionis prorsus e medio auferantur; utque templorum parietes nova fidelia inducantur, et lectissimis sanctarum scripturarum sententiis illustrentur; ut illarum lectione et admonitu populus possit ad pietatem commoveri. Postremo curabunt ut in singulis ecclesiis sit sacer fons, non pelvis, in quo baptismus ministraretur,isque ut decenter et munde conservetur.

Admonebunt etiam caupones, et tabernarios, qui vendunt edulia, ne quem in cauponam, aut tabernam suam recipiant toto illo tempore, quo aut habebitur concio, aut sacrum ministerium peragetur. Quodsi quis per contemptum, et contumaciam contrafecerit, et illum ipsum, et eos, quos ad se receperit, nominatim in proxima visitatione indicabunt. Si quis vel aperto adulterio, vel stupro, vel incestu, vel ebrietate, vel jurandi consuetudine, vel lenocinio, vel usura, vel alia demum quacunque impuritate vitae, et nequitia fratres offenderit, illos aeditui amice, et fraterne admonebunt, ut resipiscant. Quod nisi fecerint, indicabunt eos nominatim vel rectori, vel vicario, vel parochio, ut ab illis asperius, et vehementius admoneantur; et si perrexerint, tantisper dum redeant ad sanitatem, a sacra communione arceantur. Utque qui incontinentem, et laxam vivunt, pro meritis suis legum severitate castigentur; iidem aeditui eodem illos adulteros, fornicarios, incestos, ebriosos, juratores, lenones, usurarios in episcoporum et archidiaconorum visitationibus patefaciant.

AEditui convivium, symposia, coenas, et invitationes publicas in templis celebrari non patientur; nec campanis superstitione pulsari, vel in vigilia Animarum, vel postridie Omnium Sanctorum, qui dies non ita pridem genis mortuorum sacer erat, nec omnino unquam, ubi pulsandi consuetudo ad superstitionem videbitur inclinare. Illis autem tantum temporibus pulsari permittent, quae in libello admonitionum descripta sunt, et ad eundem tantum usum, eodemque tantum modo.

Nundinas, et mercatus publicos celebrare, et fontes sententia iudicis condemnatos neci dedere, et supplicio afficere diebus dominicis non licebit.

Non patientur ut quisquam ex circumforaneis istis tenuibus, et sordidis mercatoribus, qui aciculas, et ligulas, et crepundia, et res viles et minutas circumferunt ac distrahunt, quos pedarios, aut pedularios appellant, proponant merces suas vel in coemeteriis, vel in porticibus ecclesiarum, aut uspiam alibi diebus festis, aut dominicis, interim dum peragitur pars aliqua sacri ministerii, aut habetur sacra concio; nec ut mendici aut errones, quibus nulla certa sedes, toto illo sacrorum aut concionum tempore haereant in coemeterio vel in porticu, sed mandabunt, ut aut ingrediantur, aut discedant.

Observabunt etiam atque inquirent diligenter ecqui ex parochianis, temporibus lege constitutis, aut non veniant ad ecclesias, aut tardius et negligentius veniant. Quosque invenerint deliquisse,

liquisse, in eos ex legum praescripto animadvertent. Observabunt etiam, ecquid omnes ac singuli parochiani toties accedant ad sacram communionem in singulos annos, quoties leges et statuta jubent; ecqui etiam peregrini atque advenae ex aliis parochiis frequentius et usitatus veniant ad ecclesiam suam, illosque parochi suo indicabunt, ne illos forte recipiat ad sacram communionem inter alios, sed ad suos potius parochos rejiciat.

Nullum nec rectorem, nec vicarium recipient ad ministerium ecclesiae suae, nisi quem episcopus institutione sua approbaverit, et in possessionem illius ecclesiae mandato suo miserit. Nec parochum recipient, nisi literis et sigillo episcopi nominatim illi ecclesiae commendatum. Quod si rector, vicarius, aut parochus aliter se gerat in ministerio suo obeundo, aut quod male et obscure, et confuse legat, aut quod solutius et laxius vivat, quam hominem par sit ejus ordinis, et ex ea re gravis offensio suscipietur; aeditui eum mature deferent ad episcopum, ut quamprimum animadversio aliqua et vitii emendatio consequatur.

Utque episcopus intelligat, quae conciones habitae fuerint in singulis ecclesiis suae dioeceseos; aeditui curabunt, ut nomina omnium concionatorum, qui ad se aliunde venerint, annotentur in libello, quem habebunt paratum in eum usum, utque in eodem libello concionator quisque subscribat nomen suum, et diem, quo habuerit concionem, et ejus episcopi nomen, a quo acceperit concionandi potestatem.

Postremo aeditui diligenter observari curabunt ea omnia, quae ad ipsorum officia pertinebunt, quaeque regiis injunctionibus, et in libello admonitionum continentur, quaeque vel ab archiepiscopo, vel ab episcopo in suis cujusque visitationibus ad usum ecclesiarum proponuntur. Quodsi quis eos vel jurgiis petulanter insectetur, vel etiam in jus trahat, quod officium fecerint, et errantes detexerint; id quoque indicabunt episcopo, ut ejus opera et studio facilius amolestia liberentur.

De concionatoribus.

Nemo, nisi ab episcopo permissus, in parochia sua publice praedicabit, nec posthac audebit concionari extra ministerium, et ecclesiam suam, nisi potestatem ita concionandi acceperit, vel a regia maiestate per omnes regni partes, vel ab archiepiscopo per provinciam, vel ab episcopo per dioecesim. Nulla autem potestas concionandi firma erit in posterum, aut auctoritatem aliquem obtinebit, nisi tantum quae impetrata fuerit post ultimum diem Aprilis, qui fuit in an. M.D.LXXI. Concionatores modeste et sobrie in omni vitae parte sese gerent.

In primis vero videbunt, ne quid unquam doceant pro concione, quod a populo religiose teneri et credi velint, nisi quod consentaneum sit doctrinae Veteris aut Novi Testamenti, quodque ex illa ipsa doctrina catholici patres, et veteres episcopi collegerint. Et quoniam articuli illi religionis christianae, in quos consensus est ab episcopis in legitima et sancta synodo, jussu atque auctoritate serenissimae principis Eliza-

bethae convocata et celebrata, haud dubie collecti sunt ex sacris libris Veteris et Novi Testamenti, et cum caelesti doctrina, quae in illis continetur, per omnia congruunt. Quoniam etiam liber publicarum precum, et liber de inauguratione archiepiscoporum, episcoporum, presbyterorum et diaconorum nihil continent ab illa ipsa doctrina alienum; quicumque mittentur ad docendum populum, illorum articulorum auctoritatem et fidem, non tantum concionibus suis, sed etiam subscriptione confirmabunt. Qui secus fecerit, et contraria doctrina populum turbaverit, excommunicabitur.

Inter concionandum utentur veste quammaxime modesta et gravi, quae deceat, atque ornet ministrum Dei, qualisque in libello admonitionum descripta est. Nec pecuniam pro concione, aut mercedam ullam exigent; sed victu tantum et simplici apparatu, et unius noctis hospitio contenti erunt.

Vanas et aniles opiniones et haereses, et errores pontificios, a doctrina, et fide Christi abhorrentes, non docebunt; nec omnino quicquam, quo imperita multitudo vel ad novitatis studium, vel ad contentionem inflammetur. Semper autem proponant ea, quae ad aedificationem faciant, et auditores christiana concordia et charitate concilient.

De residentia.

Absentia pastoris a dominico grege, et secunda illa negligentia, quam videmus in multis, et destitutio ministerii est res et in se foeda, et odiosa in vulgus, et perniciofa ecclesiae Dei. Itaque hortamur omnes pastores ecclesiarum in Domino Jesu, ut quamprimum redeant ad parochias quique suas, et diligenter doceant evangelium, et pro fructuum suorum ratione alant familiam, et hospitalitate juvent pauperes, ibique versentur in singulos annos, non minus quam sexaginta dies.

De pluralitate.

Non licebit cuicumque, cujusunque sit gradus aut ordinis, plusquam duo ecclesiastica beneficia obtinere eodem tempore; neque cuicumque omnino licebit obtinere duo beneficia, si plusquam viginti sex milliariis distincta sint.

De ludimagistris.

Non licebit cuicumque docere literas, et instituere pueros nec publice in schola, nec privatim in cujusquam aedibus, nisi quem episcopus ejus dioeceseos approbaverit, cuique sub autentico sigillo suo docendi potestatem fecerit. Hoc autem loco primariam nobilitatem honoris causa excipimus. Episcopus autem nullum ludimagistrum approbabit, nec illo munere dignum censebit, nisi quem suo judicio doctum, et illo loco dignum invenerit, quemque de vita et moribus, et in primis de religione viderit piorum hominum testimonio commendari.

Ludimagistri nullam docebunt grammaticam, nisi eam, quam solam regia maiestas per omne regnum in omnibus scholis legi mandavit; nec alium Latinum catechismum, quam qui editus est anno M.D.LXX. quem etiam Anglice redditum

tum, pueros, qui Latine nesciunt, docere volumus.

Alios autem libros docebunt, unde Latini, Graecique sermonis copia et puritas addisci possit, et eos inprimis, qui ad notitiam Christi, et pietatem faciant. Semel autem in singulos annos indicabunt episcopo, quos habeant ex omni numero lectissimos, qui ea sint indole, eoque profectu in literis ut spes sit, vel ad functionem politicam, vel ad sacrum ministerium fore accommodos. Hac spe parentes inducti, eos libentius alent ad literas.

Inprimis vero ita instituent, et formabunt linguas puerorum, ut aperte, clare, distincteque pronuncient. Et quoties habebitur sacra concio, eos vel emittent, vel deducunt ad templum, ut statim a teneris incipiant erudiri ad pietatem; neve negligenter audierint, ubi redierint ad scholam, vocabunt singulos ad examen, quid ex illa concione didicerint; quoque magis pueriles animi ad virtutem et industriam excitentur, otiosos et ignavos reprehendent, attentos et diligentes collaudabunt.

De patronis et proprietariis.

Episcopus graviter et studiose cohortabitur patronos beneficiorum, ut cogitent necessitates ecclesiae, et ante oculos habeant ultimum illum diem, et iudicium et tribunal Dei. Itaque ut neminem promoveant ad munus ecclesiasticum, nisi qui doctrina, iudicio, pietate, probitate vitae, et innocentia possit onus tam grave sustinere, ut nihil in ea re nisi integre, incorrupte, et sincere faciant. Se enim usum omnibus honestis et legitimis rationibus, ut verum possit invenire. Quodsi vel in ipsa praesentatione vel etiam postea senserit corruptelam ullam, aut simoniacum commercium, quocunque modo, quantumvis obscure, vel directe, vel indirecte, vel per ipsum, vel per alios intercessisse; ut ad ipsum vel pecunia, vel pretium, vel commoditas aliqua, vel pars aliqua fructuum perveniret, velle se facti nequitiam, et symoniam publicare et palam facere, non tantum in cathedrali ecclesia, sed etiam alibi, ad illius probrum, et dedecus sempiternum; et presbyterum, quem ita nequiter praesentaverit, non tantum a sacerdotio, in quod mala fide ingressus sit, sed etiam ab omni ministerio, et a tota dioecesi remove.

Domina regina humiliter et submisso roganda est, ut ratio aliqua ipsius permisso et iussu ineatur, ut in ecclesiis, quae ad illam proprietario jure pervenerunt, cancelli quamprimum reficiantur, ut annuum stipendium peragendo sacro ministerio constituatur. Nunc enim multis in locis, et cancelli foedum in modum corruerunt, et ministerium ecclesiae propter stipendii vilitatem destituitur.

Episcopus curabit ut justum inventarium, quodque vocant terrarium, omnium agrorum, pratorum, hortorum, pomariorum, quae ad rectoriam aliquam, aut vicariam pertinent, ex proborum hominum inspectione sumatur, et in archia sua referatur, ad rei memoriam sempiternam.

Episcopus non patietur procuratorem alicujus

beneficii ullam habere potestatem in ministrum Dei, ut eum vel admittat, vel rejiciat. Neque minister minus a quoquam accipiet nomine stipendii, quam decem libras.

Omnia matrimonia, quae uspiam contracta sunt intra gradus cognationis, aut affinitatis prohibitos in xviii. Levitici, auctoritate episcopi dissolventur; maxime vero, si quis, priore uxore demortua, ejus sororem uxorem duxerit: hic enim gradus communi doctorum virorum consensu et iudicio putatur in Levitico prohiberi.

Non licebit cuiquam matrimonium contrahere inter illos gradus, qui in tabula a reverendissimo patre domino archiepiscopo Cantuariensi, in eum usum scripta et publicata, prohibentur.

Forma sententiae excommunicationis.

Fratres, quoniam quicumque profitemur nomen Christi Jesu, sumus omnes membra ejusdem corporis, et par est, ut unum membrum alterius membri sensu et dolore afficiatur; pro officii mei ratione, significo vobis, A. B. publice accusatum esse de adulterio, in quo, fama est, eum vixisse nequiter, et turpiter, cum ipsius dedecore, et infamia, et gravi offensione ecclesiae Dei; et ea causa, ut insignis illa turpitudine supplicio aliquo afficeretur, ad episcopi tribunal vocatum esse. Et quoniam praedictus A. B. conscientia nequitiae suae, ad diem legitime dictum comparere contempsit, et se justitiae contumaciter subduxit, et alios exemplo suo ad similem contumaciam animavit; idcirco hoc etiam vos insuper admonitos volo, episcopum nostrum nomine atque auctoritate Dei optimi maximi excommunicasse illum ab omni societate ecclesiae Dei, et tanquam membrum emortuum amputasse a Christi corpore. Hoc ille in statu versatur hoc tempore, et in tanto crimine animae suae. Divus Paulus admonitus instinctu divini Spiritus, jubet ut talium hominum societatem, et contubernia fugiamus, ne participes simus ejusdem sceleris. Tamen, ut christiana charitas nos monet, quoniam ipse pro se orari non vult, nec periculum suum intelligit, oremus Deum omnes ejus nomine, ut aliquando agnoscat miseriam, et foeditatem vitae suae, et agat poenitentiam, et convertatur ad Deum: Deus noster est misericors, et potest lapsos etiam a morte revocare.

Subscriptiones archiepiscoporum et episcoporum canonibus factis M.D.LXXI.

Matthaeus Cantuarien. Edmundus Ebor. subsc. per Matt. Cant. procur.

Edwinus London.

Robert. Winton. Jacobus Dunelm. subscripsit per Rob. Winton. procur.

Jo. Hereford.

Richardus Elien.

Nic. Wigorn. Edmundus Petriburgen. subscripsit per Nic. Wigorn.

Jo. Sarisburien.

Ri. Meneven. Guliel. Cestren.

Edm. Roffen.

Gilb. Bath, et Wellen.

Thomas

Thomas Coventry, et Lichfield.

Johannes Norwic.

N. Bangor. Thomas Affaph. } subscrip. per N.
 Hugo Landaff. } Bangor. procur.
 suum.

R. Ciceftren.

Thomas Lincoln.

Willhelmus Exon.

Archiepisc. Cant.
 MATTH. PARKER 12.

Anno Christi
 1571.

Reg. Angliae
 ELIZAB. 13.

Edm. Grindall archbishop of York's injunctions. Reg. Ebor. fol. 155. in Strype's life of Grindall p. 167.

For the clergy.

THAT for the ministration of the communion bread, they should not deliver it unto the people into the mouths, but into their hands; nor should use at the ministration of the communion, any gestures, rites, or ceremonies, not appointed by the book of common prayer; as crossing, or breathing over the sacramental bread or wine; nor any shewing or lifting up of the same to the people, to be by them worshipped or adored, nor any such like; nor should use any oil, or chrism, tapers, spittle, or any other popish ceremony in the ministration of the sacrament of baptism.

None to be admitted to the communion being above fourteen years old, that could not say by heart the ten Commandments, and Lord's prayer; nor none being fourteen years old and upwards, that could not say by heart the catechism.

That they should marry no person, nor ask the banns of matrimony of any; unless they could say the catechism by heart, or would recite the same to the minister.

That they should not church any unmarried woman, which had been gotten with child out of lawful matrimony, except it were upon some Sunday or holy day; and except either she, before childbed, had done penance, or at her churching did acknowledge her fault before the congregation.

The communion to be received three times a year, besides Ashwednesday; viz. on one of the two Sundays before Easter, on one of the two Sundays before Pentecost, and on one of the two Sundays before Christmas.

The articles of religion to be read twice every year, viz. on some Sunday within a month after Easter and Michaelmas.

The queen's injunctions to be read in time of divine service, in churches and chapels, once every quarter; and the archbishop's injunctions once every half year.

No minister (being unmarried) to keep in his house any woman under the age of sixty years; except she be their mother, aunt, sister, or niece.

For the laity.

No person, not being a minister, deacon, or at the least tolerated by the ordinary in writing, should attempt to supply the office of a minister, in saying of divine service openly in the church or chapel.

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The prayers and other service appointed for the ministration of the holy communion to be said and done at the communion table; except the epistle and gospel, which should be read in the said pulpit (i. e. where reading was before appointed) or stall; and also the ten Commandments, when there was no communion.

All altars to be pulled down to the ground, and the altar stones defaced and bestowed to some common use: and rood lofts altered. The materials to be sold to the use of the church.

At burials, no ringing any handbells; no months minds, or yearly commemoration of the dead; nor any other superstitious ceremonies to be observed or used, which tended either to the maintenance of prayer for the dead, or of the popish purgatory.

The minister not to pause or stay between the morning prayer, litany, and communion; but to continue and say the morning prayer, litany, or communion, or the service appointed to be said (when there was no communion) together, without any intermission; to the intent the people might continue together in prayer, and hearing the word of God; and not depart out of the church, during all the time of the whole divine service.

All above fourteen years of age to receive in their own churches the communion three times at the least in the year.

No pedlar or other to set his wares to sell in churchporch or churchyard; nor any where else on holidays or Sundays, while any part of divine service was in doing, or while any sermon was in preaching.

No innkeeper, victualler, or tipler should admit in his house or backside any to eat, drink, or play at cards, tables, or bowls in time of common prayer, preaching, or reading of homilies, on the Sundays and holidays; and no shops to be set open on Sundays and holidays in time of common prayer, etc. and that in fairs and common markets upon the Sundays, there be no shewing of any wares, before all the morning service and the sermon (if there be any) be done.

No persons to wear beads, or pray either in Latin or English upon beads or knots, or any other like superstitious thing — Nor to burn any candle in the church superstitiously upon the feast of the Purification — nor superstitiously to make upon themselves the sign of the cross, when they first enter into any church to pray. Nor to say the "De profundis" for the dead. Nor rest at any cross in carrying any

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corps

corps to burying: nor to leave any little crosses of wood there.

Perambulation to be used by the people, for viewing the bounds of their parishes, in the days of the Rogation, commonly called Cross week, or Gang days. That the minister use none other ceremonies, than to say the two psalms beginning, "Benedic anima mea Dominum," that is to say, the ciii. and civ. psalms, and such sentences of scripture, as be appointed by the queen's injunctions, with the litany and suffrages following the same, and reading one homily already decreed and set forth for that purpose; without wearing any surplice, carrying of banners or handbells, or staying

at crosses, or such like popish ceremonies.

The ministers and churchwardens not to suffer any lords of misrule, or summer lords or ladies, or any disguised persons or others, at Christmas, or at May games, or any minstrels, morrice dances, or others, at risibearings or at any other times, to come irreverently into any church, or chapel, or churchyard in their dance, or play any unseemly parts with scoffs, jests, wanton gestures, or ribald talk; namely, in the time of divine service, or of any sermon.

The parish clerks were required to be able to read the first lesson, the epistle, and the psalms, with answers to the suffrages, as was used.

Archiepisc. Cant.
MATTH. PARKER 12.

Anno Christi
1571.

Reg. Angliae
ELIZAB. 13.

Concilium provinciale Ebor.

CONCILIUM hoc virtute brevis regii dat. 16. die Febr. anno regni 13. tertio die Aprilis in ecclesia metropolitana B. Petri Ebor. convocabatur. Deinde in actis secundi diei mensis Maii (ad quem concilium continuatum fuerat) ita legitur. Et tunc postea comparuit personaliter magister Johannes Buck, A. M. unus procuratorum istius convocationis, ac exhibuit in manum praesidentis schedulam in scriptis conceptam propter reformationem habendam in ecclesiis istius provinciae, prout in eadem schedula plenius describitur. Qua quidem schedula per mag. Matthaeum Hutton, unum praesidentium istius convocationis vice et auctoritate reverendissimi patris deputatum, publice perlecta, idem venerabilis vir de consensu dictorum collegarum suorum post tractatum habitum inter praelatos et clerum in hac convocatione congregatos, duxit deliberandum fore super schedula huiusmodi in diem Mercurii proxime futurum. Illo autem die (sc. 9. Maii) nullius exa-

minis schedulae huius meminerunt acta illius diei, commissarii solummodo duxerunt deliberandum in hunc diem quoad schedulam in hac convocatione exhibitam. Ab eo die synodus ad undecimum diem Maii continuabatur, ad audiendum (verba registri audis) voluntatem praesidentium super schedula apud acta remanente. Dein eodem die habito diligenti tractatu, praelati et procuratores cleri unanimi consensu et assensu ac prompta et spontanea voluntate subsidium gratuitum dominae reginae concesserunt. Sequenti synodi die (octavo sc. Junii) rursus mentio schedulae huius introducitur his verbis: ac ad audiendam voluntatem dominorum super schedula per magistrum Buck exhibita, ac apud acta huius sacrosanctae convocationis remanente: quae verba paulo post repetuntur in clausula schedulae continuationis huius synodi ad 20. diem Junii continuatae. Ast schedula haec Buckii aut non examinata, aut examinis ejus nulla registro inserta fuit mentio.

Archiepisc. Cant.
MATTH. PARKER 13.

Anno Christi
1572.

Reg. Angliae
ELIZAB. 14.

Convocatio praelatorum et cleri Cant. provinciae inchoata in ecclesia cathedrali S. Pauli London. 9. die mensis Maii.

Ex reg. Parker, et excerptis Heylin.

SESSIO prima huius convocationis exordium sumpsit die Veneris 9. Maii cum precibus et concione Latina, quam doctor Young residentiarius ecclesiae S. Pauli habuit ex verbis Apocalypseos: "Novi opera tua et laborem et patientiam," etc. His finitis, reverendissimus cum episcopis et clero ad domum capitularem se contulit, ibique causam convocationis et negotium eligendi prolocutoris erudita oratione prosecutus est h. m.

Viri, patres, ac fratres in Christo charissimi. Hanc synodum ad salutarem aliquem ecclesiae christianae finem ac propositum, ex illustrissimae principis nostrae praecepto, et a me convocari, et a vobis frequentari, dubium esse nemini arbitror; quem coetum precibus primo ad divinam maiestatem fufis, deinde fructuosa do-

ctaque eruditi hominis, ut audivistis, exhortatione, hodierno die feliciter inchoavimus. Quae tam bonis auspiciis, oratione nempe et verbo Dei incepta, ac sanctificata initio, reliquis nostris laboribus ac conatibus laetabilem exitum sunt allatura. Et quanquam caeteri suum in christiana religione promulganda atque conservanda zelum et desiderium variis atque diversis modis exprimunt; nos tamen (habita nostri ordinis atque dignitatis ratione) non modo zelo et vigilantia, sed etiam famae bonorum ipsiusque vitae discrimine ac jactura (si opus sit) illos praecellere debemus. Quam quidem ad rem a Deo constituti, ejusque Spiritus instinctu admoniti, ad indagandam, populoque patefaciendam divinam veritatem sumus; in eoque imitandi majores nostri sunt, non modo hii, qui novissimis hii temporibus nos antecesserunt, quique

quique summis vigiliis hanc veritatem exploraverunt, eandemque martyrio sancto confirmarunt; sed etiam qui prima illa, et apostolis proxima aetate fuerunt, et vetustissima gestorum suorum in hac insula monumenta scripta nobis reliquerunt. Quae quanquam ab antichristo partim deleta, partim longa desuetudine inumbrata sunt; plurima tamen ad hanc aetatem, nostraeque lucidiora tempora reservata, satis indicant, nostras ordinationes ac ritus, ab illorum institutis ac decretis parum differre. Illa vero monumenta, quae eo nobis chariora esse debent, quo magis sunt nostra domestica atque propria, si divina providentia nobis non reservasset, sed deleri penitus, et auferri ab humana memoria permisisset; extabant tamen totius divinae scientiae fontes ipsi, Hebraicis, Graecisque literis Spiritus Sancti gratia conservati, ad quos, tam longaeva depravatione corruptis et perturbatis rivulis, ad certam divinae voluntatis notitiam habendam esset recurrendum. Nam ut S. ille martyr Cyprianus^a scribit, "si ad divinae traditionis caput et originem revertamur, cessat error humanus, et sacramentorum caelestium ratione perspecta, quicquid sub caligine ac nube tenebrarum obscurum latebat, luce veritatis aperitur. Si canalus aquae, qui copiose prius et largiter profluebat, subito deficiat; nonne ad fontem pergatur, ut illic defectionis ratio noscatur, utrumne crescentibus venis in capite ficcaverit, an vero integra inde et plena percurrent, in medio itinere destiterit," etc? Quod et nunc "Facere oportet (inquit) Dei sacerdotes praecepta divina servantes, ut in aliquo, si nutaverit et vacillaverit veritas, ad originem dominicam et evangelicam, et apostolicam traditionem revertamur, et inde surgat actus nostri ratio, unde ordo et origo surrexit." Et Basilus^b ille magnus Cypriano consentiens, scribens ait: "Non putamus justum esse, obtinentem apud ipsos consuetudinem legem ac regulam facere rectae doctrinae. Igitur scriptura divinitus inspirata arbiter a nobis constituatur; et apud quos inventa fuerint dogmata, divinis sermonibus concordantia, his omnino etiam veritatis suffragium accedet:" haec ille. Quorum sanctorum patrum auctoritatibus admonemur, quod quotiescunque a sanctis et immaculatis Domini viis, humana negligentia et caecitate deflexerimus, ut in eas iterum redeamus, scrutandas esse (quae de ipso testimonium perhibent) sanctas scripturas, inspiciendaque antiquissima testimonia, a quibus, Cypriano teste, ortus et origo religionis nostrae surrexit. Hiis divinae sanctaeque antiquitatis testimoniis si firmiter adhaeserimus, certi de vero Dei cultu et religione, ac securi esse possumus, etiamsi humanarum rerum et ordinationum monumenta, temporis edacitate consumpta, depravata sint. Hi enim perennes et inviolabiles fontes assidue diesque noctesque petendi sunt; et aqua ab his fontibus profluente et derivata, putei nostri (quos inimici hostesque nostri Philistini injectis sordibus coinquinaverunt) perpurgandi sunt, ut his salutiferis fontibus (unde aeternam vitam hauriemus) re-

pleantur. Hoc argumentum copiosam mihi materiam suppeditat (si in eo longior esse vellem) vobis ante oculos proponere, quibus nos antichristus praestigiis callide delusit, tenebrisque ac caligine palpabili in atros suos carceres duxit captivos. Quae gaudii infiniti, et summas Deo gratias agendi maxima nobis causa esse debet, quod profligatis illis plusquam cymmeriis tenebris, ineffabilis veritatis suae splendor nobis tandem illuxit. Praeterea accingere nos, totisque viribus ac apparatu insistere debemus, ut et caliginosis mundi, ac diaboli potentiis fortiter resistamus, et divini verbi veritatem, ab improbis ac sceleratis nostris adversariis, toties oppugnatam, tueamur atque teneamus. Hinc enim et nostra spes atque exultatio (qui veritatem amplectimur) et eorum confusio sequetur, qui cordibus inaffectata quadam et supina ignorantia caecitateque conclusis, oculos ad contemplandum evangelici luminis fulgorem neque volunt, neque possunt patefacere. Sed ne ulterius in hac re pergam, me hic contineo, hancque magni momenti materiam his relictam et reservatam cupio, quibus et locus commodior, et ortum uberius, quam mihi hoc angustissimo temporis curriculo circumscripto suppeditabitur. Ut igitur ad id accedam, quod est praesentis instituti, quodque haec reverenda vestra frequentia coronaque requirit; synodus haec nostra, ut scitis, in duas societates (quae duobus domiciliis, superiori nempe et inferiori segregantur) divisa est. Ut igitur in consiliis atque deliberationibus de ecclesiasticis causis capiendis, unanimes ac concordantes esse possimus, et ad vitandas in cunctis nostris disceptationibus altercationes atque lites, superiori huius concilii conventui (adhibitis quibusdam ad id designatis commissariis) ego praesidebo, ut omnia nostra dicta, responsa, et colloquia, nulla confusione perturbata, sed recte atque ordine fiant. Eodemque modo vos inferioris concilii, dilecti fratres, summa cura inniti debetis, ne litibus et querelis, de rebus tantis habendi, conferendique inter vos sermones repleantur, sed ut omnia moderate, prudenterque inter vos gerantur. Itaque ne scisata contentioque oriatur inter vos, neve bonum vestrum hominum maledicentiae sit obnoxium; eligendus inter vos est aliquis spectatae gravitatis, pietatis, prudentiae, et doctrinae vir, ad prolocutoris officium toto huius synodi tempore exequendum, qui et vestras disceptationes, ne aut longius producantur, aut acrius vehementiusque tractentur, temperet, et vestra nobis desideria, nostraeque vobis vicissim monita exponat atque referat. Magnum huius generis hominum in vestro coetu numerum habetis, ex quibus optimi alicujus delectum facere possitis. Itaque vos hortor, moneoque in Domino, fratres, ut ad huiusmodi idoneum virum deligendum quamprimum conveniatis, eumque die Mercurii proximo nobis, iterum huc post ejusdem diei meridiem congregatis, praesentetis. Quo etiam tempore in huius convocationis negotio ulterius progrediemur, prout locus, et tempus, vetusque consuetudo postulant. Dixi.

^a Ad Pompejanum epistol. Stephani.

^b Epistola 80. ad Eustach. medicum.

In secunda sessione (May 14.) quae in ecclesia B. Petri Westmon. fuit, post peracta sacra, decanus ecclesiae Westmon. cum tribus praebendariis protestatus est more solito de privilegiis et exemptionibus collegiatae suae ecclesiae; ad quam protestationem episcopus London. absente archiepiscopo, regeffit, se per sessiones convocationis nihil de jurisdictione et immunitate collegii imminuere, intendere. Deinde doctor Whitgift, decanus Lincoln. in prolocutorem primam post sessionem electus confirmabatur. Quo facto, episcopus London. eum cum duobus praesentatoribus Pearnio, decano Eliensi, et Humphrey, decano Glocestrensi, accersivit, ut aliquos viros doctos graves et maxime idoneos de gremio suo eligant, ac per ipsos quicquid dignum reformatione censuerint et excogitaverint, in scriptis redigi faciant, ac praefato reverendissimo patri, vel ejus locum tenenti in proxima sessione porrigant.

Inter hanc et sequentem sessionem archiepiscopus protectionem sive privilegia convocationis ergo concessit, quam ex Heylinianis excerptis depromptam hic inferemus.

“Matthaeus, divina providentia Cant. etc. dilectis nobis in Christo majori et ballivis civitatis Winton. eorumque officiariis et ministris quibuscunque salutem, gratiam, et benedictionem. Cum in parlamento tento apud Westm. anno regni felicissimae memoriae domini Henrici VI. nuper regis Angliae octavo, c. i. inter alia statutum et stabilitum fuerit, quod vocandi in futurum ad convocationem cleri praetextu brevis regii, eorum servientes et familiares eadem libertate veniendo, expectando, et redeundo plene gaudeant et utantur perpetuis futuris temporibus, qua gaudent et gaudere consueve-

runt, sive gaudere debent in futurum proceres, magnates, et communitas regni Angliae ad parliamentum domini regis vocati sive vocandi, prout per statutum praedictum plene liquet et apparet; vobis et cuilibet vestrum tenore praesentium significamus et innotescimus, quod mag. Laurentius Humphrey, decanus ecclesiae cathed. Gloc. praetextu brevis regii nobis directi ad convocationem cleri nostrae provinciae Cant. in ecclesia cathed. D. Pauli London. nono die praesentis mensis Maii inchoata et celebrata per nos vocatus existit, atque expeditioni causarum et negotiorum in eadem convocatione tractandorum operam et industriam dat et impendit; quodque Jacobus Massam fuit et est famulus et serviens dicti magistri L. Humphrey, decani Gloc. antedicti, et eidem decano obsequitur, et ad civitatem London. in obsequio dicti decani venit, et ibidem spectat in praesenti in ejus servitio, prout dictus Jac. Massam coram nobis corporale praestitit juramentum. Quocirca vobis et cuilibet vestrum tenore praesentium stricte praecipiendo mandamus, quatenus eundem Jac. Massam, durante convocatione praedicta, eadem libertate et immunitate veniendo, expectando, et redeundo plene gaudere et uti, juxta formam statuti praedicti, absque arrestatione vel molestatione quacunque permittatis, et quilibet vestrum permittat, sub poena contemptus. In cuius rei testimonium, etc. dat. May 16.

Per varias deinde sessiones de tempore in tempus continuata convocatio virtute brevis regii dat. 1. July ad 2. Novembris, et ab hoc die per aliud breve ad 13. Januarii, et ab illo die per simile mandatum ad 2. Aprilis, anni M.D.LXXIII. prorogabatur.

Archiepisc. Cant.
MATTH. PARKER 13.

Anno Christi
1572.

Reg. Angliae
ELIZAB. 14.

Mandatum pro publicatione libri publicarum precum. Ex reg. II. Parker fol. 72. a.

MATTHAEUS, providentia divina Cant. archiepiscopus, totius Angliae primas et metropolitanus, venerabili confratri nostro domino Edwino, eadem permissione divina London. episcopo, salutem et fraternam in Domino charitatem. Cum nos librum quendam precum publicarum intitulatum, “A forme of common prayer to be used, and so commanded by authority of the queen’s majesty, and necessary for the present time and state,” M.D.LXXII. vicesimo septimo Octobris, de mandato illustrissimae dominae nostrae reginae componi, ac imprimi, et publicari fecimus; nos igitur librum praedictum, in et per totam provinciam Cant. debitae executioni demandari volentes, librum ipsum praesentibus annex. vobis transmittimus publicand. volentes, ac fraternitati vestrae firmiter injungendo mandantes, quatenus vera exemplaria libri praedicti universis et singulis venerabilibus confratribus nostris dictae provinciae nostrae Cant. cum ea, qua fieri po-

terit, matura celeritate transmittatis, seu transmitti faciatis, eisque ex parte nostra injungatis, quibus nos etiam tenore praesentium sic injungimus; quatenus eorum singuli in singulis dioecibus eorundem, coram decano et capitulo cujuslibet ecclesiae cathedralis, ac archidiaconis, et clero suae dioec. prout ad eos, et eorum quemlibet pertinet, librum praedictum debite publicent, et ab omnibus, quos concernit, observari, et debitae executioni demandari procurent, sive sic publicari et observari faciant cum effectu. Et praeterea, fraternitati vestrae, ut supra, injungimus, quatenus librum praedictum in et per dioec. vestram London. prout ad vos attinet, debite et effectualiter publicari, et executioni demandari faciatis, prout decet. In cuius rei testimonium sigillum nostrum praesentibus apponi fecimus. Dat. in manerio nostro de Lambeth vicesimo nono die mensis Octobris, A. D. M.D.LXXII. et nostrae consecrationis anno decimo tertio.

Archiepisc. Cant.
MATTH. PARKER 13.

Anno Christi
1572.

Reg. Angliae
ELIZAB. 14.

Convocatio cleri provinciae Ebor.

CLERUS provinciae Ebor. virtute brevis regii dat. apud Gorhambury 29. die Martii convocabatur in ecclesia metropolitana S. Petri Ebor. die nono mensis Maii. Deinde post varias continuationes per breve regium dat. apud

Westmonast. primo die Julii ad 2. diem mensis Novembris prox. prorogabatur. Ab hoc die usque ad 12. diem Januarii commissarii continuaverunt synodum.

Archiepisc. Cant.
MATTH. PARKER 14.

Anno Christi
1573.

Reg. Angliae
ELIZAB. 15.

Convocatio praelatorum et cleri provinciae Cant.

CONVOCATIO praelatorum et cleri provinciae Cantuar. ad 2. diem Aprilis continuata, per breve regium ab eo die ad 13. Octob. et ab illo ad 5. Februarii seq. et inde ad 20. Aprilis

anni M.D.LXXIV. prorogabatur. Sed nihil in illis continuationibus actum fuisse asserunt excerpta Heyliniana.

Statuta quaedam per reverendissimum dom. Matthaeum Parker, Cant. archiepiscopum, edita Maii 6. anno Domini M.D.LXXIII. et auctoritate sua in curia de arcubus publicata. Ex MSS. Sancroft. arch. Cant.

CAP. I.

MATTHAEUS, providentia divina Cant. archiepiscopus, totius Angliae primas et metropolitanus, dilectis in Christo filiis, officiali curiae nostrae Cant. et decano nostrae ecclesiae beatae Mariae de arcubus London. salutem, gratiam, et benedictionem. Cum propter curam, sollicitudinem, et amorem paternum, quem in vos advocatos, procuratores, et ministros dictae curiae semper habuimus, et in praesenti habemus, aequum et rationi consonum putavimus, enormitates quasdam, abusus, et scandala indies in dicta curia crescentia, et pullulantia, quantum in nobis est, praecidere et amputare, et eadem ne de caetero eveniant, divino fulti auxilio prospicere et providere; cumque de praerogativae nostrae praeceminentia tam nobis liceat nova statuta condere, quam vetera interpretari, et corrigere, declarare, mutare, addere, detrahare, ut ex antiquissimis curiae nostrae praedictae constitutionibus et statutis apparet; cumque omnes et singuli advocati, procuratores, clerici et caeteri ministri dictae curiae nostrae, tempore eorum, et cujuscumque eorum admissionis in eadem juramentum corporale praestiterint, se observaturos omnia et singula statuta dictae curiae tam antiqua, quam nova; nos majorum et praedecessorum nostrorum vestigiis insistentes, et erroribus quibusdam, qui in nostram curiam paulatim irrepserunt, salutaria remedia adhibere volentes, omnia et singula infra scripta statuta, ordinationes, et decreta, habito maturo consilio, statuimus, ordinamus, et decernimus, et eadem perpetuis futuris temporibus inviolabiliter teneri, et observari praecipimus. Vobis igitur, conjunctim et divisim, committimus, ac injungendo mandamus, quatenus proximo die juridico, per vos in dicta curia Cant. proxime post praesentium receptionem te-

nendo, praedicta statuta, ordinationes, et decreta publicari, recitari, et legi faciatis; necnon omnes et singulos ecclesiae nostrae Cant. praedictae. iudices ac ministros, ac quoscumque jurisdictionem quamcunque ecclesiasticam auctoritate nostra archiepiscopali exercentes, quocumque nomine, titulo, five dignitate censeantur, nominentur, et appellentur; ac etiam omnes et singulos advocatos, procuratores, registrarios, scribas, notarios, et reliquos quoscumque dictae curiae ministros, tam praesentes, quam absentes, auctoritate nostra publicationem praesentium in dicta curia nostra moneatis (quos nos tenore praesentium sic monemus; quam publicationem, pro legitima et peremptoria monitione decernimus, et haberi volumus) quatenus virtute eorum juramenti per eos tempore eorum admissionis in dicta curia personaliter praestiti, fideliter et inviolabiliter observent statuta, ordinationes, et decreta infra scripta, sub poena majoris excommunicationis sententiae, et suspensionis eorum, et cujuscumque eorundem, ab exercitio hujusmodi sui officii, jurisdictionis, dignitatis, advocacy, procurationis, vel ministerii cujuscumque; quos omnes et singulos casu, quo monitionibus vestris, aut potius nostris non paruerint, nos exnunc, prout extunc, et extunc prout exnunc, excommunicamus, et suspendimus in hiis scriptis; ipsosque sic excommunicatos, et suspensos, per vos denunciari, et a dictis curiis, ac cujuscumque officii, dignitatis et jurisdictionis exercitio amoveri volumus, et mandamus; constitutionibus, ordinationibus, decretis, statutis, seu consuetudinibus dictae curiae nostrae Cant. in contrarium forsan editis, in aliquo non obstantibus quibuscumque. Dat. in manerio nostro de Lambhith sexto die mensis Maii, anno Domini M.D.LXXIII. et nostrae consecrationis anno decimo quarto.

CAP. II. *Ut decanus sive officialis curiae de arcubus, causarum sive negotiorum curiae audientiae Cant. auditor, curiae praerogativae custos, sive magister, non fungantur officio advocati in aliqua curia ad jurisdictionem archiepiscopi pertinente.*

Quoniam affectio in causis eisdem aut confimilibus magnum possit praejudicium litigantibus afferre, si unus, idemque in eisdem aut confimilibus iudicis et advocati partes ageret; cumque in curiis nostris de arcubus audien. et praerogativae, confimiles fere causae, et juris quaestiones expediri soleant; ne forte iudex in eadem aut confimili causa, in qua fuit advocatus, eandem sententiam humanitus (aut verius mordicus) retineat, cum iudicis animus ab omni affectione et corruptela immunis et liber esse debeat; cumque rationi consentaneum videatur, ut iudex, quoad fieri possit, dignitatem retineat, quod difficulter fiet, si hodie iudicis, cras advocati officio fungatur; et quoniam utrisque, et continuis clientum postulationibus, et iudicis officio bene superesse et vacare non potest; nos et iudicis auctoritati, et litigantium utilitati prospicientes, statuendo decernimus, statuimus, et ordinamus, quod officialis, sive decanus de arcubus non postulabit, seu advocabit in curia audientiae seu praerogativae; nec auditor causarum audientiae in curia de arcubus seu praerogativae; nec custos, sive magister curiae praerogativae aut in dicta curia de arcubus, aut audientiae, sub poena superius declarata; nisi fuerit aliter indultum ex speciali gratia et favore per nos, aut successores nostros.

CAP. III. *Ut litigantibus libera sit electio.*

Quoniam id a nobis utilitatis publicae et aequitatis ratio efflagitat, ut ad commune omnium nostrae provinciae Cant. subditorum solatium iudicis libera electio habeatur, ut si unius consanguineus, affinis, familiaris, patronus conveniatur, ad alterius iudicium libere convolari possit, vel si forsan alterutrius sana conscientia et in rebus gerendis officioque fungendo dexteritas liquido praeluceat, ad eundem, tanquam ad tutum perfugium, atque iustitiae portum recuratur; statuimus, ordinamus, et volumus, quod de caetero in posterum unus idemque utriusque curiae, scilicet de arcubus, et audientiae, iudex non sit; sed quoniam distincta sunt et diversa officia, unus sit curiae nostrae de arcubus officialis, sive decanus, et alius curiae nostrae audientiae causarum auditor, sub poena praedicta.

CAP. IV. *Ne procuratores de arcubus cujusdam famuli aut clerici existant.*

Quia procuratores dictae curiae nostrae homines bonae ac honestae conditionis, graves, et existimationis laudabilis praeteritis temporibus fuerunt, eosque sic in posterum esse optamus; cumque per praedecessorem nostrum Robertum Winchelsey, celebris memoriae virum, cautum fuerit, ne procuratores cujusquam servitio, tanquam familiares, specialiter astringantur; nos hujusmodi statutum in ea parte confirmantes, illudque declarantes, et eidem addentes, statui-

mus, quod posthac nemo procuratorum exercentium sit cujusquam registrarii aut scribae mercenarius, vel stipendiarius, clericus vel testium examinador, sub poena praedicta.

CAP. V. *Ut testium et litigantium examinationes sine mora et corruptela expediantur.*

Quoniam testibus et litigantibus e longinquis partibus ad curias nostras venientibus, morae causas struere, et impensas supervacaneas augere periniquum et indignum esset, et nostrae curiae, omnibusque in ea advocantibus, et procurantibus scandalosum; statuimus, et ordinamus, ut registrarii et testium examinadores sint faciles, diligentes, in praemissorum examinatione expediti. Quod ut facilius effectum fortiat, arctius inhibemus, ac inhibendo etiam statuimus, ne quisquam in duabus curiis ad nos vel archiepiscopatum nostrum spectantibus, fungatur officio registrarii, actorum scribae aut examinadoris; nec procuratoris officio fungatur in ea curia, in qua registrarius, actorum scriba, vel examinador per se vel deputatum quemcunque fuerit, ne (quod absit) in illis causis, in quibus procurator est illius substitutus, substituentis intuitu et favore, minus indifferenter testium depositiones, et partium responsa concipiat, vel forsitan concepta in aliqua parte vitiet, aut corrumpat, sub poena praedicta.

Confirmatio: Et nos decanus et capitulum ecclesiae cathedralis et metropoliticae Christi Cant. praedictum scriptum approbamus, et confirmamus per praesentes 27. die Junii, A. D. M.D.LXXIII.

CAP. I. *Quaedam alia statuta, eodem die edita, in curia praerogativae Cant. observanda, auctoritate praedict. reverendissimi patris, domini Matthaei, Cant. archiepiscopi, publicata.*

Matthaeus, providentia divina Cant. archiepiscopus, totius Angliae primas et metropolitani; dilecto nobis in Christo magistro Willelmo Drury, legum doctore, curiae praerogativae nostrae Cant. magistro, custodi sive commissario, salutem, gratiam, et benedictionem. Cum ex statutis et ordinationibus praedecessorum nostrorum Cant. archiepiscoporum, nulli liceat advocati vel procuratoris officium in curiis nostris de arcubus, et audientiae exercere, nisi primum fuerit in numerum advocatorum aut procuratorum exercentium dictae curiae nostrae Cant. de arcubus admissus; quidam tamen alii, personae imperitae et minime exercitatae, officium procuratoris in eadem curia praerogativae nostrae exercent, et tanquam procuratores nomine absentium testamentum probari, administrationes et intestat. decedent. literas ad colligend. et sequestrationes bonorum committi obtineant, et hujusmodi decedent. inventaria procuratorio nomine executorum, administratorum, collectorum, seu sequestratorum exhibeant, non solum in subditorum nonnullorum hujus regni Angliae dispendium et damnum, verum etiam in dictae curiae nostrae praerogativae dedecus, et scandalum manifestum. Nos igitur omnia

in

in dicta curia praerogativae nostrae Cant. quemadmodum in caeteris curiis praedictis, ex aequo et bono, per probos, fideles, et peritos ministros fieri optantes, et scandala, et abusus, quae ea occasione irrepserunt, radicitus extirpari cupientes (habito super praemissis maturo consilio) statuta, ordinationes, et decreta infra-scripta, pro nobis et successoribus nostris ordinavimus, statuimus, et decrevimus; ac eadem perpetuis futuris temporibus inviolabiliter observari praecipimus; tibi firmiter praecipiendo mandantes, quatenus hujusmodi statuta, ordinationes, et decreta infra-scripta omnia et singula proximo die juridico, receptionem praesentium immediate sequente, in curia nostra praedicta publice recitari et publicari, ac registrarium ejusdem curiae vel ejus deputatum ad perpetuam rei memoriam in registro dictae curiae nostrae registrari facias, seu fieri procures. Dat. in manerio nostro de Lambhith sexto die mensis Maii, anno Domini M.D.LXXIII. et nostrae translationis anno decimo quarto.

CAP. II. *Quod nullus officium procuratoris in curia praerogativae exercent, nisi primum fuerit in procuratorem exercentem curiae Cant. de arcubus admissus.*

Cum ad dictam curiam praerogativae nostrae Cant. pro causis et negotiis expediend. et justitia impetrand. confluentium maxime interest, causas et negotia hujusmodi per bonos, fideles, et peritos procuratores, et in causis agendis bene exercitatos tractari; statuimus, volumus, et ordinamus, quod nullus de caetero procuratoris officium in dicta curia praerogativae nostrae praedict. ullo modo exercent, nisi primum fuerit in procuratorem exercentem curiae nostrae Cant. de arcubus London. admissus et juratus: statuimus etiam, volumus, et ordinamus, quod nulli liceat testamenta aliqua in dicta curia praerogativae nostrae Cant. nomine procuratorio, vel nominibus procuratoriis executorum in eisdem, seu eorum aliquo nominatorum exhibere, ac hujusmodi testamenta probare, petere, vel aliquas literas administrationis, seu bonorum sequestrationis a dicta curia, nominibus procuratoriis quorumvis defunctorum, hujusmodi in curiam praedictam exhibere, seu procuratoris officium in, aut circa praemissa, quovis quaesito colore, in aliquo exercere, nisi primum fu-

erit in procuratorem dictae curiae nostrae Cant. de arcubus London. exercentem (ut praefertur) admissus.

CAP. III. *Quod nullus apparitoris officium in curia praerogativae exercent, nisi per archiepiscopum Cantuar. approbatus fuerit.*

Et praeterea volumus et ordinamus, quod nulli liceat in posterum apparitoris officium in dicta curia praerogativae nostrae, aut circa praemissa in aliquo exercere, nisi primum fuerit per nos, aut successores nostros admissus et approbatus.

CAP. IV. *Ut tam registrarii, et actorum scribae dictae curiae praerogativae, quam eorum deputati, et clerici juramentum praestent de eorum officio fideliter exequendo.*

Quoniam in eo totius justitiae et judicii momentum positum est, ut testes et partes principales sedulo examinentur, et examinationum copiae fideliter excusantur, et ut dicta testimonium, aut ad interrogatoria partis adversae responsiones ante publicationem in cujuscunque praepositi minime revelentur; statuimus, ordinamus et volumus, ut registrarius unusquisque dictae curiae praerogativae nostrae, aut ejus deputatus, vel deputati, et clerici quicunque juramentum subeat in plena curia sub forma sequenti: Ego L. A. juro ad haec sancta Dei evangelia, quod testimonium et partium principalium quorumcunque examinationes et responsiones fideliter, sine omni affectione et corruptela, in scriptis concipiam, et easdem sic conceptas sincere, sine additione, detractione, aut mutatione quacunque, judici pro eorum repetitione deferam, et deinceps partibus tradam; et quod eorum dicta, responsa, et interrogatoria ante publicationem nullatenus revelabo, seu revelari procurabo: sicut me Deus adjuvet, et haec sancta Dei evangelia.

MATTHAEUS CANTUAR.

Confirmatio: Et nos decanus et capitulum ecclesiae cathedralis et metropoliticae Christi Cant. praedictum scriptum approbamus, et confirmamus per praesentes 27. die Junii, M.D.LXXIII.

Archiepisc. Cant.
MATTH. PARKER 14.

Anno Christi
1573.

Reg. Angliae
ELIZAB. 15.

Tenor injuntionum domini Matthaei, archiepiscopi Cantuar. in metropolitana et ordinaria visitatione cathedralis ecclesiae Christi Cantuar. die septimo Octob. anno M.D.LXXIII. Ex Strype's life of Parker app. p. 168.

IN Dei nomine, Amen. Nos Matthaeus, providentia divina Cant. archiepiscopus, totius Angliae primas et metropolitanus, necnon ecclesiae Christi Cantuarien. visitator, atque ordinarius rite et legitime constitutus, ad honorem, commodum, et conservationem omnium jurium, libertatum, et privilegiorum dictae ecclesiae, injuntiones, ordinationes, monitiones,

et interpretationes sequent. hac nostra ordinaria atque metropolitana visitatione, quam vicesimo tertio die mensis Septembris, anno Domini M.D.LXXIII. inchoavimus, et ulterius ex certis, justis, et rationabilibus causis animum nostrum specialiter moventibus, prorogand. esse duximus pendente, vobis decano et capitulo ecclesiae Christi Cant. praedict. necnon praedicatoribus, canonicis

nicis minoribus, vicariis, caeterisque ejusdem ecclesiae officiariis, et ministris quibuscunque, quatenus vos omnes et singulos concernunt, damus, ministramus, et promulgamus, easque a vobis omnibus et singulis, quatenus vos concernunt, firmiter observari ac perimpleri, sub poenis in eisdem sigillatim contentis, virtute obedientiae vestrae canonicae, vobis de jure, et statutis vestris debet. mandamus atque praecipimus.

I. Inprimis volumus, mandamus, injungimus, atque praecipimus, ut statuta et ordinationes ab inclytissimo rege Henrico octavo, hujus ecclesiae Christi Cant. fundatore, edita, et singula in eis contenta, a vobis omnibus et singulis, quatenus vos concernunt, fideliter et inviolabiliter conserventur; si modo verbo Dei, aut legibus et statutis hujus regni Angliae non repugnent; quibus ita repugnantibus, neminem vestrum teneri atque ligari pronunciamus, et interpretamur. Et insuper, ad meliorem dictorum statutorum verbo Dei, legibusque ac statutis hujus regni consonorum observationem, prohibemus, ne decanus pro tempore existens, nec aliquis canonicus, seu quisquam aliquo beneficio, salario, vel stipendio in dicta ecclesia gaudens, per se, vel interpositam personam, deinceps directe vel indirecte, gratias, literas, dispensationes, seu aliquid ad abrogationem, vel derogationem dictorum statutorum, quacunque auctoritate impetret, obtineat aut procuret, vel impetrari, obtineri seu procurari faciat, impetratum, obtentum, seu procuratum accipiat, admittat, ratum vel gratum habeat, aut quocunque modo alleget; sed dispositioni, ordinationi et reformationi dictorum statutorum se submittat, iisque in omnibus, quae eum tangunt, pareat et obtemperet, nisi forte hujusmodi gratiae, literae, et dispensationes, ex mero regiae majestatis motu certaue scientia, non ad alicujus persuasionem atque sollicitationem, libere atque sponte concedantur. In quo casu is, in cujus gratiam et favorem hujusmodi aliquid concedatur, juramentum coram decano, seu vicedecano, ac capitulo, vel nobis, et successoribus nostris tempore visitationis praestabit, quod ad ejus procuracionem, persuasionem, vel sollicitationem obtentum non sit, sub poena et sententia suspensionis ab hujusmodi gratiarum, literarum, atque dispensationum beneficio, quam in omnes et singulos deinceps contra hanc nostram injunctionem delinquentes, exnunc prout extunc, et extunc prout exnunc, ferimus et promulgamus in hiis scriptis.

II. Item, Ne dictorum statutorum, aut injunctionum nostrarum crassa et affectata ignorantia cuiquam (quod ferendum non est) deinceps excusationis praetextu adferatur, volumus, ut tam dicta statuta, quam nostrae et successorum nostrorum injunctiones, monitiones, statutorum declarationes, in eisque ambiguitatum ac dubiorum interpretationes, singulis annis bis, quolibet nempe capitulo generali, coram omnibus canonicis, caeterisque hujus ecclesiae ministris quibuscunque ad vos vocatis, in domo capitulari publice per decanum aut vicedecanum plane atque integre recitentur. Et

ut in singulis capitulis ac scrutiniis, non modo de statutorum praedictorum, sed etiam de hujusmodi injunctionum, monitionum, declarationum, et interpretationum observatione vel violatione diligens inquisitio, reformatio, correctio, et emendatio fiat. Ac ut cuivis hujus ecclesiae canonico tam statuta, quam injunctiones hujusmodi describere, eorumque et earum penes se copiam habere volenti, vera exhibeatur a decano, vicedecano, vel thesaurario, in loco capitulari, vel alio ad ea describenda apto et opportuno, copia.

III. Item, Volumus ut graviores dictae ecclesiae causae, quae moram ac maturam deliberationem pati possunt et requirunt, ut demissiones ad redditum vel firmam, aut locationes, vel concessionem terrarum, boscorum, seu aliquarum possessionum dictae ecclesiae, vel aliquarum parcellarum eorundem, alienationes aliquorum bonorum in praemissis casibus, litium inchoationes magnis ecclesiae sumptibus prosequendarum, novae ac sumptuosae aedificationes, officiariorum majorum seu superiorum dictae ecclesiae electiones et admissiones, ac caetera cuncta ecclesiae negotia, in quibus magis vertitur ecclesiae praejudicium, non alio tempore, modo, aut forma, nisi in duobus generalibus capitulis per statuta praedicta limitatis, proponantur, tractentur, et concludantur, sub poena amotionis perpetuae hiis, qui contrarium attemptant.

IV. Item, Quoniam decanum et capitulum dictae ecclesiae maxime convenit, ut bonos et frugi patresfamilias omnia bona mobilia et immobilia dictae ecclesiae ad utilitatem, commodum, et honorem ejusdem conservare, nec ab ecclesia ad privatos usus convertere, aut aliter dissipare; idcirco volumus, ne ulla maneria, rectoriae, terrae, vel possessiones dictae ecclesiae, antehac communi vel capitulari decreto ad provisionem decani, canonicorum, vel aulae communis, aut scholarium mensae assignatae vel in posterum assignandae in praejudicium hujusmodi provisionis, ullo praetextu; neque bosci ac sylvae dictae ecclesiae non dimitti solit. ullo modo dimittantur aut locentur, seu sic dimittatur eorum aliquod, sed ad hospitalitatem decani et canonicorum suorumque successorum, et mensas minorum canonicorum atque scholarium reficiendas, et usus ecclesiae necessarios, fideliter custodiantur et conserventur: nec decanus, aut canonicorum aliquis hujusmodi damnosis, nec solitis, sed detestandis dimissionibus auctoritatem vel consensum praebeat, sub poena et sententia suspensionis ab eorum respective officiis, suffragiis, et emolumentis, donec nostro, aut successorum nostrorum judicio, pro damnis ea occasione ecclesiae illatis, commode satisfecerint, quam in eos, et eorum quemlibet in hac parte delinquentes et culpabiles, extunc prout exnunc, et exnunc prout extunc, ferimus et promulgamus in hiis scriptis.

V. Item, Quoniam magnae semper contentiones et controversiae inter decanum atque praebendarios, dum suum privatum commodum affectantes, maneria, rectorias, terras, et tenementa quamplurima dictae ecclesiae inter se

ad firmam dimitterent, atque locarent, necnon fines, quos in cista communi reponi aequius fuit inter se partirentur ac dividerentur, excitatae sunt: sub poena et sententia suspensionis antedicta prohibemus hujusmodi captatorias dimissiones, et finium dividendas deinceps in quovis fieri; donec nostri aut successorum nostrorum iudicio ecclesia praedicta magis pinguescat, et quiescat in eadem contentio.

VI. Item, Quoniam privatum singulorum commodum ita communes ecclesiae facultates exhaustit, ut in quo jam statu ejus res sitae sint, fere sit incognitum; volumus, ut singulis anni quartis, decanus, vel eo absente, vicedecanus, canonicis ad hoc legitime vocatis ac praesentibus, vel alias contumaciter absentibus, in loco ubi computus fieri consuevit, a receptore atque thesaurario rationem exigat singulorum receptorum et expensarum, indeque instrumentum in membrana describi ab auditore faciat; pecuniamque receptam, ac residuam, nec ad praesentem ecclesiae usum necessariam, receptis rationibus in cista communi recondi faciat, ibique ad magnos, utiles, et extraordinarios ecclesiae usus custodiri.

VII. Item volumus, ut omnia capitularia decreta a fine mensis Maii ult. praeteriti, per decanum et capitulum, pro divisionibus finium, et concessionibus ac dimissionibus ad firmam interposita, tanquam statutorum praedictorum menti ac intentioni et ecclesiae commoditati contraria, cassentur, irritentur, et annullentur; eaque nulla pronunciamus, ac pro cassis, irritis, invalidis, atque nullis pronunciamus atque declaramus, et a quoquam perimpleri aut observari, vel executioni demandari, sub poena et sententia suspensionis antefatae districte prohibemus.

VIII. Item, Ut cultus divinus decentius atque diligentius in dicta ecclesia deinceps celebretur, volumus, ut quoties minorum canonicorum, vicariorum choralium, et cantorum aliquis a matutinis aut vespertinis precibus, a lectionibus aut communionibus abfuerit, aut tardus, post mediam nempe earum partem perfectam ingrediatur, pro singulis in hujusmodi negligentia vicibus, denario communi mensae applicando mulctetur; qui ad subcantoris relationem, de delinquentium stipendiis, ad usum praedictum a thesaurario detrahetur, et reservabitur. Absentiam autem pauperiorum, aliorumque ministrorum dictae ecclesiae, eorumque tarditatem in divinis officiis, lectionibus, atque communionibus, decanus, aut eo absente, vicedecanus poena arbitraria, juxta modum et qualitatem absentiae, ac tarditatis, castigabit.

IX. Item volumus et mandamus, ut majores canonici singuli suis vicibus in majoribus diebus festis, quos duplices appellant, in propriis personis divina celebrent, juxta statutorum praedictorum in ea parte exigentiam.

X. Item, Quia de jure eligendi et admittendi canonicos minores, vicarios, cantores, scholares et choristas inter decanum et capitulum adhuc ambigitur, volumus, ad sopiendam ea de re discordiam, ut pendente nostra visitatione hujusmodi electiones et admissiones cessent, do-

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nec ea ambiguitas regia auctoritate, vel nostra interpretatione tollatur et declaretur.

XI. Item, Ut scholaribus tam in diaeta, quam in literarum incremento deinceps melius prospiciatur, volumus, ut omnes deinceps admittendi scholares, aliquem ex praebendariis tutorem seu curatorem habeant, qui pro eis ecclesiae caveat et provideat in necessariis; et ut singulis anni quartis per decanum, vel eo absente, vicedecanum assignentur ex praebendariis duo, qui omnes scholares sigillatim examinent, et quomodo in bonis literis moribusque profecerint, explorent, et cultum habitumque corporis aspiciant, et de hiis, quae in eorum aliquibus, vel eorum aliquo reformanda cognoverint, tutores seu curatores suos admoneant. Et si scholares a tutoribus seu curatoribus suis saepius moniti non se correxerint, deferatur inde ad decanum et capitulum querela, a quibus, qui incorrigibiles fuerint, expellantur.

XII. Item volumus, ut singulis anni quartis, eodem tempore, quo de scholaribus inquisitio fit, ab eisdem praebendariis, qui de scholaribus inquirant, de senescallo, opsonatore, pincernis, cocis communis aulae, acriter et diligenter cognoscatur, et inquiratur, eorumque computus, ac rationes fideliter examinentur. Et si de fraude semel convicti fuerint, vel de mala officiorum munerumve suorum administratione, bis a praedictis inquisitoribus admoniti non se correxerint, pro tertio delicto sint ipso facto amoti et exclusi.

XIII. Item vetamus atque prohibemus, ne senescalli, opsonatores, pincernae et coci, caeterique in hac ecclesia inferiores ministri officia sua per substitutos exercent, sed ipsi in eis diligentes, seduli, et assidui sint, sub poena amissionis unius anni salarii, deinde, nisi moniti se correxerint, amotionis perpetuae, nisi ex gravi et urgente causa ejusmodi substitutio et substituta persona a decano et capitulo approbata fuerit.

XIV. Item volumus et mandamus, ut omnes introitus atque exitus in ambitum et praecinctum ecclesiae, et ex eisdem solummodo per communes et antiquas duas portas pateant, nec ulli per aliam viam exire vel introire liceat; et ut privatae aliarum aedium fores atque januae, fenestrae, viaeque et perspectus per communes parietes in ambitum et praecinctum ecclesiae intromissi, ante festum Omnium Sanctorum prox. occludantur et obstruantur; nec deinceps hujusmodi januae, fores, et fenestrae fieri permittantur: volumusque de executione hujus nostri mandati per literas certificatorias decani et capituli authenticas, in mansione nostra Lamethana fieri octavodie post praedictum festum Omnium Sanctorum, sub poena et sententia suspensionis antedictae.

XV. Item, Ut non modo ecclesia, sed singula ejus membra in eleemosynis dandis larga, et in pauperes benefica sint, volumus et monemus, ut decano, canonicis, praedicatoribus, vicariis, cantoribusque convocatis, consilium de conferenda et distribuenda eleemosyna ante festum Omnium Sanctorum praedict. hoc modo ineatur, ut decanus iii l. vi s. vii d. singuli praebendar. xls.

B b b b

praedi-

praedicatores singuli vis. viii. d. vicarii singuli iii. s. iv. d. cantores singuli xvi. d. cum decem libris ex communi aerario ecclesiae, inter pauperes in civitate et suburbiis Cantuar. singulis anni quartis per aequales portiones distribuend. conferant. De qua collatione atque distributione incept. per auctenticas literas dicti decani et capituli pridie Calend. Febr. prox. certiores fieri volumus sub poena nobis arbitraria.

XVI. Item volumus et mandamus, ut deinceps quotannis vir aliquis in theologia doctus, quia a decano et capitulo ad hoc aptus reputabitur, sacras scripturas suggestu in loco capitulari, singulis diebus Mercurii et Veneris inter horas septimam et octavam matutinas, publice interpretetur et legat. Cui quidem interpretationi atque lectioni decanum, canonicos, praedicatores, vicarios, cantores, singulosque ejusdem ecclesiae ministros, praeter scholares, eorumque institutores, atque choristas cum hiis, qui illorum sunt familiis, interesse diligenter volumus, nec cuiquam abesse permittimus, nisi legitima causa per decanum et capitulum approbanda impediatur. Lectori autem et interpreti stipendium viginti librarum annuarum a decano et capitulo assignari, ex praedictae ecclesiae facultatibus praecipimus. Quem suae lectioni diligenter intendere jubemus; nec eum nisi in mensibus Augusti et Septembris, et in septimanis festorum Nativitatis et Circumcisionis

Domini, Paschae, ac Pentecostes, tempore qui Quadragesimali intermittere, sub poena subtractionis alicujus portiones stipendii, arbitrio decanopro modo negligentiae dicti lectoris committenda.

Has autem injunctiones, quia de statu multarum rerum in hac ecclesia male administratarum reformando aliquandiu deliberandum esse putamus, vobis omnibus et singulis interim, dum visitatio nostra pendeat, observandas committimus; omni debita, et a jure nobis competenti criminum, excessuum, negligentiarum, incuriarum, ac delictorum anteaactorum quorumcunque censura, correctione, emendatione, et reformatione, itemque aliarum injunctionum potestate nobis aut successoribus nostris, ante finem exitumque hujus nostrae institutae visitationis, hujusmodi et specialiter reservatis. In quorum omnium et singulorum roborationem, fidem, et testimonium sigillum nostrum praesentibus apponi fecimus. Dat. septimo die mensis Octobris, anno Domini M.D.LXXIII; et nostrae consecrationis anno XIV.

Lectae et publicatae coram reverendissimo, etc. in domo capitulari, praesentibus dom. decano, magistris Willowbye, Bullen, Lawse, Newinson, praebendariis, et Bisely et Ingulden, praedicatoribus, cum reliqua turba minorum canonicorum, cantorum, atque ministrorum, etc.

Archiepisc. Cant.
MATTH. PARKER 14.

Anno Christi
1573.

Reg. Angliae
ELIZAB. 15.

A proclamation against the despisers or breakers of the orders prescribed in the book of common prayer.

By the queen.

THE queen's majesty being right sorry to understand that the order of common prayer, set forth by the common consent of the realm and by authority of parliament in the first year of her reign, wherein is nothing contained but the scripture of God, and that which is consonant unto it, is now of late of some men despised, and spoken against, both by open preachings, and writings, and of some bold and vain curious men, new and other rites found out and frequented; whereupon contentions, sects, and disquietness doth arise among her people, and for one godly and uniform order, diversity of rites and ceremonies disputations, and contentions, schisms and divisions already risen, and more like to ensue. The cause of which disorders, her majesty doth plainly understand to be the negligence of the bishops and other magistrates, who should cause the good laws and acts of parliament made in this behalf to be better executed, and not so dissembled and winked at, as hitherto (it may appear) that they have been.

For speedy remedy whereof her majesty straightly chargeth and commandeth all archbishops and bishops, and all justices of assises, and "Oyer and Terminer," and all mayors, head officers of cities and towns corporate, and

all other who have any authority, to put in execution the act for the uniformity of common prayer, and the administration of the sacraments made in the first year of her gracious reign, with all diligence and severity, neither favouring nor dissembling with one person nor other, who doth neglect, despise, or seek to alter the godly orders and rites set forth in the said book: but if any person shall by public preaching, writing, or printing contemn, despise, or dispraise the orders contained in the said book, they shall immediately apprehend him, and cause him to be imprisoned, until he hath answered to the law, upon pain that the chief officers, being present at any such preaching, and the whole parish do answer for their contempt and negligence. Likewise, if any shall forbear to come to the common prayer, and receive the sacraments of the church, according to the order in the said book allowed, upon no just and lawful cause; all such persons they shall enquire of, present, and see punished, and ordered according as is prescribed in the said act, with more care and diligence than heretofore hath been done: the which negligence hath been cause why such disorders have of late now so much and in so many places encreased and grown.

And if any persons shall either in private houses, or in public places make assemblies, and therein use other rites of common prayer and admi-

Proclamation against despisers of orders in the common prayer. 279

administration of the sacraments, than is prescribed in the said book, or shall maintain in their houses any persons being notoriously charged by books or preachings to attempt the alteration of the said orders, they shall see such persons punished with all severity, according to the laws of this realm, by pains appointed in the said act.

And because these matters do principally appertain to the persons ecclesiastical, and to the ecclesiastical government, her majesty giveth a most special and earnest charge to all archbishops, bishops, archdeacons, and deans, and all such as have ordinary jurisdiction, in such cases to have a vigilant eye and care to the observa-

tion of the orders and rites in the said book prescribed, throughout their cures and diocese, and to proceed from time to time by ordinary and ecclesiastical jurisdiction, as is granted them in the said act, with all celerity and severity against all persons, who shall offend against any of the orders in the said book prescribed, upon pain of her majesty's high displeasure, for their negligence, and deprivation from their dignities and benefices, or other censures to follow, according to their demerits. Given at Greenwich the 20. day of October, M.D.LXXIII. in the fifteenth year of the queen's majesty's reign.

God save the queen.

Archiepisc. Cant.
MATTH. PARKER 14.

Anno Christi
1573.

Reg. Angliae
ELIZAB. 15.

A letter from the council about uniformity and a parochial visitation. Ex MS. Coll.
Corp. Ch. Cantabr. miscell. Y.

AFTER our hearty commendations to your lordship. By her majesty's proclamation dated the 20th of October last, it may appear, how careful her highness is, that the orders set forth in the book of common prayer, allowed by parliament in the first year of her majesty's reign should be severely and uniformly kept throughout all this realm. And that the fault why such diversities have been of late taken up in many churches, and thereupon contentions and uncomely disputations and dissensions risen (in her highness's opinion) is most in you, to whom the special care of ecclesiastical matters doth appertain; and who have your visitations episcopal and archidiaconal, and your synods and other such meetings of the clergy first and chiefly ordained for that purpose, to keep all churches in your diocese in one uniform and godly order, which now, as is commonly said (the more is the pity) be only used of you and your officers to get money, or for some other purposes. We at her majesty's commandment straightly made unto us, are therefore to require you to take a more vigilant eye to this uniformity, and to the keeping of the orders allowed by the said parliament, and by her majesty's injunctions throughout your diocese; and either by yourself, which were most fit, or by your archdeacons, or other able and wise men personally to visit, and see, that in no one church of your diocese there be any difformity or difference used for those prescribed orders. But if any shall refuse them, or accept any other diverse or repugnant to them, to call those persons before

you, and by censures of the church and the ecclesiastical law to see them punished. So that what is required may be done in the churches of your diocese without extraordinary and temporal (as it is termed) jurisdiction and judgment, as it may we think verily, if diligent care and heed were taken by you their pastor and bishop. For nothing is required, but that godly and seemely orders allowed by the queen's majesty and the whole realm be kept. The which except ye did wink at and dissemble, there needed not these new proclamations and straight callings upon. Wherefore if now ye would take for your part care and heed, and so the rest of your fellow bishops, the quiet of the realm might soon be purchased in our mind touching any such matters, which should be great pleasure to her majesty, and comfort to us. The neglecting thereof how grievous it will be to her highness, and what danger may be to you, her highness hath expressed in the said proclamation. Thus praying you to consider these things, and with all speed to put order in them, and from time to time to certify us what you have done, and what by your orders is done herein to the fulfilling of her majesty's desire, we bid you most heartily farewell. From Greenwich the seventh of November, M.D.LXXIII.

Your loving frendes

W. Burghley. E. Lincoln. T. Suffex.
R. Leicester.
F. Knollys. T. Smith.

Archiepisc. Cant.
MATTH. PARKER 15.

Anno Christi
1574.

Reg. Angliae
ELIZAB. 16.

Convocatio praelatorum et cleri provinciae Ebor. et Cantuar.

CONVOCATIO praelatorum et cleri provinciae Ebor. a die 12. mensis Januarii anni praecedentis ad 2. diem mensis Aprilis hujus anni continuata, ulterius ab illo die ad 14. diem Octobris, et inde ad 5. diem Februarii, et rursus ad 20. diem Aprilis anni M.D.LXXIV. prorogabatur.

CONVOCATIO cleri provinciae Cantuar. ad 20. diem Aprilis continuata per breve regium. ad 21. diem Octobris, et abinde ad 11. Martii, et ab illodie ad 8. Novembris anni M.D.LXXV. prorogabatur.

The

Archiepisc. Cant.
MATTH. PARKER 15.

Anno Christi
1574.

Reg. Angliae
ELIZAB. 16.

The direction of the ecclesiastical exercise in the diocese of Chester. Strype's Annals Vol. ii. App. p. 73.

THE moderators of every several exercise shall select such parts of scripture to be handled amongst the ministers, that are to attend the same, as they in their discretion shall think meet; so that they take in every several place of the exercise divers parts of scripture.

The writers shall be appointed to gather several observations upon every verse of that part of scripture, which shall be assigned unto them. And so proceed with the whole verse by verse.

The speakers shall be appointed every of them in order to treat upon so many Verses of the same, as by an equal distribution of the whole text amongst them all shall be assigned to every one.

The manner of proceeding in the exercise.

First, Prayer shall be aptly conceived for the present occasion; for the blessed estate of her majesty, of the church and commonwealth, by one of the moderators, who in order shall every of them accomplish the same at every several exercise.

Then the first moderator shall propose and read the first verse of the text, which is to be handled.

Upon which verse the writer shall in order read the observations, which they have gathered.

After whom the speaker, assigned to that part of the text, shall in some larger manner discourse upon the same.

After him the rest of the speakers shall have liberty to give any brief notes upon that verse.

In all which actions of the writers and speakers the moderator's (office) that proposed the verse, shall be to make special observation of any errors, negligence, or ignorance in any of them, and the same to correct and reform with as brief speech as may be.

After which he shall further add such obser-

vations as he shall gather upon the said verse. And after him the rest of the moderators and preachers in due order shall do the like, till as much be said upon that verse, as shall be thought convenient.

All which time both the speakers and writers shall take notes in writing of those observations, which shall be given by any of the speakers, preachers, or moderators. And so in due order shall all the moderators proceed with the whole text verse by verse.

Then shall the moderators call before them those, whom by any information they are to admonish of any misdemeanor or enormities of life. And if after such admonition they shall again fall into the like offence, then the moderators shall certify the bishop thereof, and crave suspension of them.

After the moderators shall proceed against the absents in this sort: viz. They shall at the next exercise, after such absence, call before them the said parties; who, if they cannot be able to prove a sufficient cause of their absence, and the same well approved by the moderators, then the moderators shall exact the mulct imposed by the order set down by the right reverend the lord bishop, without abating any part thereof in any respect; lest any thereby learn to presume of favour in such case to be shewed. Which mulct if any shall refuse to satisfy, and not duely conform themselves in that behalf, or not come in place to give account of their actions, then the moderators shall without delay proceed to suspension, according to the said orders. Which suspension they shall forthwith certify unto the said bishop, according to the said orders; and further, with all instance prosecute the said suspension with full effect.

In fine, the whole action is to be concluded with prayer, as it was begun.

Synodus provincialis Ebor.

SYNODUS provincialis Eboracensis ad 20. Jovis, viz. nonum diem mensis Februarii, qui diem Aprilis hujus anni continuata, in diem erit in A. D. M.D.LXXV. prorogabatur.

Sede Cant. vacante.

Anno Christi
1575.

Reg. Angliae
ELIZAB. 17.

Convocatio praelatorum et cleri provinciae Cantuar. ad octavum diem mensis Novembris continuata. Ex excerptis Heylinianis.

CONVOCATIO ad octavum diem mensis Novembris continuata, per breve regium ad 9. diem Februarii prorogabatur. Quia autem ob mortem Matthaei Cant. archiepiscopi sedes metropolitana vacabat, decanus et capitulum Cant. custodes spiritualitatis, Edwino episcopo London. commissionem ad interessend. et praesidend. etc.

vice, loco, et auctoritate sua sacrae synodo concedebant, dat. Lond. 8. die Februarii M.D.LXXV.

In prima ejus sessione (Febr. 10.) postquam episcopi et clerus coram episcopo London. synodi praeside, in ecclesia S. Pauli congregati, tractatum inter se habuissent, convocatio a praeside continuabatur ad 17. diem Februarii. Quo die Edmundus

Edmundus archiepiscopus comparens breve regium dat. Febr. 16. de continuatione convocationis legi fecit; quo lecto accersivit prolocutorem nonnullosque ex inferiore domo, mandavitque ut ipsi inter se excogitent, si aliquid reformandum sit, quod statum ecclesiasticum, et Christi religionem concernit, et quicquid inde excogitaverint, in scriptis redigant, ac in proxima sessione exhibeant. Et praeterea voluit et mandavit ut de subsidio dominae reginae per clericum concedendo inter se rationem ineant, et modum ac formam concessionis ejusdem scriptis mandent.

In tertia sessione (Febr. 24.) decanus Westmon. protestationem de privilegiis et exemptionibus collegii sui protulit, cui episcopus London. praeses pro more solito respondit. In sequenti sessione liber subsidii dominae reginae a clero concessi perlectus ac ab utraque domo confir-

matus erat. In alia (septima) sessione Martii 2. in ecclesia S. Pauli London. episcopis congregatis, prolocutorique accersito cum 5. aliis e domo inferiore, episcopus London. exposuit se et confratres suos habere quaedam ardua negotia tractanda, statum ecclesiae Christi concernentia, super quibus isto die, ratione absentiae reverendissimi et aliorum confratrum, non possent commode tractare. Ideo negotium hoc differebatur in aliud tempus. Post varias deinde continuationes convocatio congregabatur Martii 17. in capella ecclesiae B. Petri Westm. ubi archiepiscopus praesens perlegi mandavit et fecit quosdam articulos in scriptis conceptos; quibus sic lectis, dictus reverendissimus et confratres sui praedicti consensum et assensum suos unanimiter adhibuerunt; necnon nomina sua manibus suis propriis subscripserunt. Tenor vero articulorum habetur pag. 284. hic sequente.

Sede Cant.
vacante.

Anno Christi
1575.

Reg. Angliae
ELIZAB. 17.

Q. Elizabeth's special commission to Sir Nicholas Bacon to burn hereticks. Ex rot. pat. 17. Eliz. p. 5. m. 9. apud Rymer Foed. vol. 15. p. 740.

ELIZABETH, by the grace of God quene of England, Fraunce, and Ireland, defender of the fayth, etc. to our right trustie and right well beloved counsaillour, Sir Nicholas Bacon knight, lord keaper of our greate seale of England, greetinge. Where the reverend father in God, Edwyn busshoppe of London, Edmund busshoppe of Rochester, and our right trustie and well beloved Sir William Cordell knight, maister of the rolles, Roger Manwood and Robert Mounson, two of the justices of our Common Pleas, with others our commissioners sufficientlye authorized by our commission under our greate seale of England, have travayled upon the examynation, heringe and determination of John Peeters and Henrie Turwert beinge Flemynge borne, and nowe lyvinge, in this our realme, concernyng their false opynyons and sects of Anabaptists, holden and avowed by them, wherein they have, before the said reverend fathers and others our said commissioners, mayntayned their said most perilous and dangerous opynyons, for the which they are by definitive sentence decayred by the said reverend father the busshoppe of London, with the consent of others our said commissioners, justilie adjudged and decayred to be heretiques, and therefore as corrupt members to be cut of from the rest of the flocke of Christ, lest they should infect others professinge the true christiane faythe, and are by them lesse under the sentence of the greate ex-

communication to be by our secular power and authoritie as heretiques punished, as by the "Significavit" of the said reverend father in God the busshoppe of London, with the assent of others of our said commissioners, remayninge in our courte of Chauncerye, more at lardge appeareth. And although the said Anabaptists have synce the said sentence pronounced against them bynne often and very charitable traveled with, as well by the mynisters of the Duche church in the cite of London, as by other godlie and learned men, to diswade, revoke, and remove them from their Anabaptistcall and hereticall opynyons; yet they arrogantlie and willfullie persist and continewe in the same. We therefore, accordinge to our regall function and office, myndyng the execution of justice in this behalfe, and to give example to others, lest they should attempte the like hereafter, have determined, by the assent of our counsaill, to will and requyre you the said lord keaper, immediatelie upon the receipte hereof to awarde and make out our wrytt of execution accordinge to the tenor in these presents ensuyng, and these our letters signed withe our hande shall be your sufficient warrant for the same.

Per ipsam reginam.

Et warrantum remittitur praedicto domino custodi, ut patet inferius.

Sede Cant.
vacante.Anno Christi
1575.Reg. Angliae
ELIZAB. 17.*Breve regium de executione judicii versus Johannem Peeters et Henricum Turwert
haereticos comburendos.*

ELIZABETHA, Dei gratia, etc. vicecomitibus London. salutem. Cum reverendi in Christo patres, Edwinus, providentia divina Londoniensis episcopus, Edmundus, eadem gratia Rossensis episcopus, ac praedilecti et fideles nostri Willielmus Cordell, miles rotulorum sive scriniorum nostrorum magister, Rogerus Manwood, Robertus Mounson, justitiiarii nostri in Communi Banco, Alexander Nowell, S. Pauli London. Gabriell Goodman, Westm. ecclesiarum respective decani, et alii tanquam cognitores, inquisitores, judices, et commissarii, inter alios per literas nostras patentes sub magno sigillo nostro Angliae gerentes datum 11. die mensis Maii ultimo praeterito, sufficienter et legitime deputati, nobis significaverint, quod ipsi contra et adversus quosdam Johannem Peeters et Henricum Turwert Flandricos oriundos, in hoc regno nostro Angliae degentes, de et super nefando crimine haereseos ac detestanda Anabaptistarum secta, apud bonos et graves enormitatibus diffamatos, auctoritate praedicta procedentes, praedicti Johannes Peeters et Henricus Turwert coram praefatis reverendis patribus, ac aliis commissariis nostris personaliter comparentes, praedictum nefandum crimen haereseos, ac detestandam Anabaptistarum sectam, ac alios errores contumaciter et ex quadam pertinacia omnino sustinuerunt et defendebant, ac eorum alter sustinuit et defendebat, per sententiam diffinitivam ejusdem reverendi patris London. episcopi, cum consensu caeterorum commissariariorum nostrorum praedictorum, juste, legitime, et canonice contra eosdem Johannem et Henricum in ea parte latam, haeretici adjudicati et pronunciati existant, et ideo tanquam oves morbias a grege Domini, ne subditos nostros suis contagionibus inficiant, ejiciendos et eliminandos fore decreverint. Cum

igitur sancta mater ecclesia non habet, quod ulterius in hac parte facere et exequi debeat, iidem reverendi patres ac alii supradicti commissarii eosdem Johannem et Henricum damnatos haereticos, brachio nostro seculari reliquerint et condigna animadversione plectendos, prout per literas patentes praefati reverendi patris episcopi London. cum consensu caeterorum in hac parte collegarum superinde confectas, nobis in cancellariam nostram certificatum est. Nos igitur, ut zelator justitiae et fidei catholicae defensor, volentesque ecclesiam sanctam, ac jura et libertates ejusdem, et fidem catholicam manutenere et defendere, ac hujusmodi haereseos et errores ubique (quantum in nobis est) eradicare et extirpare, ac haereticos sic convictos animadversione condigna puniri; attendentesque hujusmodi haereticos in forma praedicta convictos et damnatos, juxta leges et consuetudines regni nostri Angliae in hac parte consuetas, ignis incendio comburi debere; vobis praecipimus quod dictos Johannem Peeters et Henricum Turwert in custodia vestra existentes, apud West Smithfeld in loco publico et aperto, ex causa praemissa, coram populo igni committi, ac ipsos Johannem Peeters et Henricum Turwert in eodem igne realiter comburi faciatis, in hujusmodi criminis detestationem, aliorumque hominum exemplum, ne in simile crimen labantur; et hoc sub periculo incumbenti nullatenus omittatis. Teste regina apud Gorambury 15. die Julii.

Per ipsam reginam.

Et warrantum inde remittitur praedicto domino custodi magni sigilli Angliae per ejus mandatum.

The form of recantation prescribed to certain Anabaptists. Heylin's hist.
Presbyt. p. 242.

WHEREAS I N. N. being seduced by the spirit of error, and by false teachers his ministers, have fallen into many damnable and detestable heresies; videlicet, First, That Christ took not flesh of the substance of the blessed Virgin Mary. Second, That infants born of faithful parents ought to be rebaptized. Third, That no christian man ought to be a magistrate, or bear the sword or office of authority. Fourth, And that it is not lawful for a christian man to take an oath. Now by the grace of God, and through conference with good and learned ministers of Christ his church, I do understand and acknowledge the same to be most damnable

and detestable heresies, and do ask God here before his church mercy for my said former errors, and do forsake them, recant, and renounce them, and abjure them from the very bottom of my heart; and further I confess, that the whole doctrine and religion established in this realm of England, as also that which is received and practised in the Dutch church here in this city, is sound, true, and according to the word of God, whereunto in all things I submit my self, and will most gladly be a member of the said Dutch church, from henceforth utterly abandoning and forsaking all and every Anabaptistical error.

A letter

Sede Cant.
vacante

Anno Christi
1575.

Reg. Angliae.
ELIZAB. 18.

A letter of Dr. Whitgift, master of Trinity college Cambr. to Richard, bishop of Ely, concerning impropriations and pluralities. Ex MS. Bibl. Bodl. Seld. Supra 44. fol. 34.

I HAVE not had that leisure to peruse the script that your lordship sent unto me, that I would have wished, for we are now in our audit; yet I have done therein so much, as in so short a time I could. The matter is worth to be dealt in, and very necessary to be considered; and I would to God, that care and circumspection were in many others, that is in your lordship; the time, and the state of the church doth require it. I pray God make you strong, and give you the spirit of boldness and fortitude this time of your personal persecution (for so I must needs call it) saying as St. Augustine saith, that enemies of the church persecute it after three sorts; "Gladio, lingua, dolo;" and notwithstanding the persecution of the sword (God be thanked) is not, yet how fierce the other two are, cannot be unknown to any, especially to your lordship, who tasted of them. Touching impropriations, which are partly touched in the treatise, all things considered, I think they are very warily to be dealt in, for considering how that every man seeketh to pull from the church, how also the temporality does envy any prosperity in the clergy, what enemies the most part of men are to cathedral churches, bishopricks, colleges, and other places of learning, and that the most part of these do consist of impropriations, I fear lest under the pretence of reforming the one, the dissolution, and utter undoing of all the other, would be sought for, which would be the ruin of the church, the fall of religion, and the decay of learning; only the clergy shall be plagued thereby, for the temporal men will still keep their interest in their leases, that they have in such impropriations, as I my self do perceive by some conference that I have had with some great men, touching that matter. It standeth us in hand to be circumspect, for it will be the policy of some, under fair promises and pretences, to procure, that we ourselves shall be the authors of our own harms. This is a certain and sure principle, that the temporalities will not lose one jot of their commodity in any respect, to better the livings of the church; and therefore let us keep that we have, for better we shall not be: we may be worse, and that I think by many is intended.

Again, where it is said, that men joined benefice to benefice, that is to be reprov'd in such as have no care of doing their duties, not in such as labour and be diligent, for it is better and more for the profit of the church, that some have many, than other some one. Moreover, considering how long and injurious leases there be of the most part of ecclesiastical livings, dignities, prebends, and benefices, so that that living, which is worth to the farmer two hundred marks, is not worth to the incumbent twenty pound, as I my self am able to prove in divers and sundry such kinds of livings. Saying also that men have not now a days that conscience in paying their duties, that they have had in times past; besides many other commodities, that were wont to be incident to such livings, which are now utterly taken away, except it might be lawful for men to join more livings together, you should have a beggarly clergy, which will be the decay of learning, religion, and in time, of the church also; for there would not be many meet livings for learned men, besides a few bishopricks. Wherefore I think, that such things, where they are amiss, are rather to be reformed in the persons, that are not worth of them, than by any common rule. The temporality seek to make the clergy beggars, that we may depend upon them; and this will be one means whereby they purpose to bring it to pass. Touching the papists in this diocese, there will not be much done, unless your lordship call earnestly of the matter; for certainly my lord North will bolster out that notorious papist Mr. Parry, as he hath done hitherto; such is his zeal, etc. Thus your lordship seeth how bold I am to trouble you, but I presume of your lordship's accustomed goodness; for my part I am ready to do any thing, that may be good; and in these matters contained in the treatise you sent unto me, I intend to bestow some pains, as soon as I can get any leisure; thus remaining your lordship's most assured brother so long as I live, I commit you to the tuition of the almighty God. From Trinity college the 3d of December, M.D.LXXV.

Superscribed: To Richard bishop of Ely.

Convocatio provinciae Ebor.

CONVOCATIO provinciae Ebor. ad diem 9. mensis Februarii continuata, ad diem Lunae 27. ejusdem mensis, et ab eo ad primum diem Martii, deinde ad 9. et postea ad 23. ejus-

dem mensis prorogabatur; quo die subsidium gratuitum unanimi cleri consensu dominae reginae concessum est.

Articles

Archiepisc. Cant.
EDM. GRINDALL I.

Anno Christi
1575.

Reg. Angliae
ELIZAB. I⁸.

Articles whereupon it was agreed by the most reverend father in God the archbishop of Cant. and other the bishops of the whole clergie of the province of Canterbury, in the convocation or synod holden at Westminster by prorogation in the year of our Lord God M.D.LXXV. touching the admission of apt and fit persons to the ministry, and the establisshing of good orders in the church. Ex excerptis Heylinianis.

FIRST, That none shall be made deacon or minister hereafter, but only such as shall bring unto the bishop of that diocese from men known to the same bishop to be of sound religion, a testimonial both of his honest life, and of his professing the doctrines expressed in the "Articles of religion which concern the confession of a true christian faith, and the doctrine of the sacraments" comprised in a book entituled "Articles whereupon it was agreed by the archbishops and bishops, etc. anno M.D.LXII." put forth by the queen's authority, and which also shall then be able to answer and render to the same bishop an account of his faith in Latin, agreeable and consonant to the said articles, and shall first subscribe to the said articles. And that every such deacon shall be of the age of twenty three years, and shall continue in that office the space of a whole year at the least, before he be admitted to the order of priesthood: and every such minister shall be of the full age of twenty four years. And that neither of these orders shall be given but upon a Sunday or holy day, and in the face of the church, and in such manner and form, and with all such circumstances as are appointed by the book entituled "The form and manner of making and consecrating bishops, priests, and deacons.

II. Item, That no bishop shall give either of the said orders to any that be not of his own diocese (other than graduates resident in either of the universities) unless they be dimitted under the hand and seal of that bishop, of whose diocese they are, and not upon letters dimissory of any chancellor, or other officer to any bishop.

III. Item, That unlearned ministers heretofore made by any bishop shall not hereafter be admitted to any cure of spiritual function according to the queen's majesty's injunctions in that behalf, for which purpose the bishops shall cause strict and diligent examination to be us'd in the admission of all curates to any cure.

IV. Item, That diligent inquisition be made in every diocese for all such as have forg'd and counterfeited letters of orders, that they may be deposed and punished by commissioners ecclesiastical.

V. Item, That the bishops by their letters do certify one another the names of such counterfeit ministers, to the end they be not suffered to serve in any other diocese.

VI. Item, That from henceforth none shall be admitted to any orders ecclesiastical, unless

he do presently shew to the bishop a true presentation of himself to a benefice then void within the diocese or jurisdiction of the said bishop; or unless he likewise shew to the said bishop a true certificate, where presently he may be placed to serve some cure within the same diocese or jurisdiction; or unless he be placed in some cathedral or collegiate church or college; or unless the bishop shall forthwith place him in some vacant benefice or cure; or unless he be known to have sufficient patrimony or livelihood of his own.

VII. Item, That none shall be admitted to any dignity or benefice with cure of souls, unless he be qualified according to the tenor of the first article; and if any such dignity or benefice be of the yearly value of thirty pounds or above in the queen's books, unless he shall then be a doctor in some faculty, or a bachelor of divinity at the least, or a preacher lawfully allowed by some bishop within this realm, or by one of the universities of Cambridge or Oxford, and shall give open tryall of his preaching before the bishop or ordinary or some other learned man appointed by him, before his admission to such dignity or benefice; and nevertheless where the stipends or livings be very small, then to choose of the best that can be found in such case of necessity.

VIII. Item, That all licences for preaching granted out by any archbishop or bishop within the province of Canterbury, bearing date before the 8th of February, M.D.LXXV. be voyd and of none effect. And nevertheless all such as shall be thought meet for that office, to be admitted again without difficulty or charge, paying not above four pence for the seal, parchment, writing, and wax for the same, according to an article of the advertisements in that behalf.

IX. Item, That every bishop shall take order, that all able preachers within his diocese do earnestly and with diligence teach their auditors sound doctrine of faith and true religion, and continually exhort them to repentance and amendment of life, that they may bring forth the fruits of faith and charity, and be liberal in alms and other good deeds commanded by God's word. And that none be admitted to be a preacher, unless he be first a deacon at the least.

X. Item, That every bishop in his diocese shall with all expedition take order, that the catechism allowed be diligently taught to the youth in every parish church, and that the homilies

milies, when no sermons be made, be duly read in order, as they be prescribed every Sunday and holy day.

XI. Item, That every bishop shall likewise take order within his diocese, that every parson, vicar, curate and stipendiary priest being under the degree of a master of arts, and being no preacher, shall provide and have of his own within two months after warning given to him or them, the New Testament both in Latin and English or Welch, and shall confer daily one chapter of the same, the Latin and the English or the Welch together. And that archdeacons, commissaries and officials in their synods and visitations shall by their discretion appoint to every the said parsons, vicars, curates, and stipendiary priests some certain tax of the New Testament to be conned without book, or otherwise to be travelled in, as shall be thought most convenient to the said archdeacon, commissaries, or officials, and shall exact a rehearsal of the same and examine them how they have profited in the study thereof, at their next synods and visitations, or such other time and times, as to them shall be thought meet.

XII. Item, Where some ambiguity and doubt hath arisen among divers, by what persons private baptism is to be ministered, for as much as by the book of common prayer allowed by statute, the bishop of the diocese is to expound and resolve all such doubts as shall arise concerning the manner how to understand, do, and execute the things contained in the same book; it is now by the said archbishop and bishops expounded and resolved, and every of them doth expound and resolve, that the said private baptism in case of necessity is only to be ministered by a lawfull minister or deacon, called to be present for that purpose, and by none other. And that every bishop in his diocese shall take order, that the exposition of the said doubt shall be published in writing before the first

day of May next coming, in every parish church of his diocese in this province; and thereby all other persons shall be inhibited to intermeddle with the ministering of baptism privately, being no part of their vocation.

XIII. Item, That from henceforth there be no commutation of any penance by any having ordinary jurisdiction ecclesiastical, or any their officers or deputies into any mulct pecuniary, unless the same be done upon great and urgent causes by the consent of the bishop of the diocese, declared in writing under his hand and seal.

XIV. Item, That all archdeacons and others, which have ordinary jurisdiction ecclesiastical, and their officers and deputies shall call before them all such person and persons, as shall be detected or presented before them, or any of them of any ecclesiastical crime or fault, and shall use all means by law prescribed to convince and punish such as be found to be offenders, effectually upon pain of suspension from his and their office.

XV. Item, That the bishops shall take order that it be published and declared in every parish church within their diocese before the first day of May next coming, that marriage may be solemnized at all times of the year, so that the bannes be first on three several Sundays or holy days in the service time openly asked in the church, and no impediment objected, and so that the said marriage be also publicly solemnized in the church at the usual time of morning prayer.

Ultimus tamen articulus typis non fuit expressus, eo quod domina regina (ut dicitur) non assensit eidem. Postquam hi articuli promulgati fuissent, convocatio virtute brevis regii ad 6. diem Novembris, ac deinde de tempore in tempus ab uno anno in alium per diversa brevina regia ad 17. Januar. A. M.D.LXXX. prorogabatur

Archiepisc. Cant.
EDM. GRINDALL I.

Anno Christi
1576.

Reg. Angliae
ELIZAB. 18.

Mandatum archiepiscopi Cantuar. ad publicandum articulos in convocatione
M.D.LXXV. *stabilitos.* Ex excerptis Heylinianis.

EDMUNDUS, divina providentia Cant. archiepiscopus, totius Angliae primas et metropolitanus, venerabili confratri nostro Edwino, eadem providentia London. episcopo, salutem, et fraternam in Domino charitatem. Cum in sacra synodo provinciali, sive convocatione praelatorum et cleri nostrae Cant. provinciae, auctoritate brevis regii in ea parte emanati, in domo capitulari ecclesiae cathedralis D. Pauli London. 9. die mensis Maii A. D. M.D.LXXII. ultimo praeterito, inchoata ac celebrata, ac de die in diem, et de loco in locum continuata et prorogata, de consilio et assensu vestris, et aliorum venerabilium confratrum nostrorum, totiusque cleri dictae nostrae Cant. provinciae in eadem sacra synodo sive convocatione, 17. die mensis Martii, A. D. juxta computationem ecclesiae Anglicanae M.D.LXXV. ultimo praeterito, congregata, inter nonnulla alia, per nos mutuo et

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unanimi nostro consensu, ad Dei gloriam illustrandam, divini cultus augmentum, ecclesiae Anglicanae utilitatem, ordinis clericalis honestatem et decentiam, ac illustrissimae dominae nostrae reginae, regnique sui Angliae tuitionem et defensionem tendentia, ordinata et stabilita, ex certis magnis arduis et urgentibus causis, per nos eisdem confratribus nostris et clero dictae nostrae provinciae Cant. expositis, et inter nos matura deliberatione consideratis et ponderatis quosdam articulos intitulatos, "Articles whereupon it was agreed," etc. ordinaverimus et stabiliverimus; nos igitur articulos praedictos in et per totam provinciam nostram Cant. praedictam debitae executioni demandare volentes, verum exemplum articulorum praesentibus annexum (ne quisquam ignorantiam praetendere possit) fraternitati vestrae committimus publicandum; eidem fraternitati vestrae praecipiendo

D d d d

mandantes,

mandantes, quatenus vera exemplaria praedictorum articulorum sub sigillo, et separalibus literis vestris, universis et singulis venerabilibus confratribus nostris episcopis, suffraganeis dictae nostrae provinciae Cant. ac custodibus spiritualitatis sedium vacant. transmittentes, ex parte nostra iis injungatis, quibus nos etiam harum serie injungimus, quatenus eorum singuli in singulis civitatibus ac dioecesibus eorundem, prout eos et eorum quemlibet respective pertinet, ar-

ticulos praedictos debite publicent et denunci-ent, ac ab omnibus, quos concernunt, observari, et debite executioni demandari faciant, et curent cum effectu. Ac insuper articulos memoratos per fraternitatem vestram in, et per civitatem, et dioecesim vestram, prout ad vos attinet, debite et effectualiter publicari, denunciari, et executioni debite demandari volumus et mandamus, prout convenit. In cujus rei testimonium, etc. Dat. 20. die Aprilis, M.D.LXXVI.

Archiepisc. Cant.
EDM. GRINDALL I.

Anno Christi
1576.

Reg. Angliae
ELIZAB. I^a.

Articles to be enquired of in the metropolitall visitations of the most reverend father in God Edmond, by divine sufferance archbiskope of Cant. primate of all England, and metropolitane in all and singular cathedral and collegiate churches within his province of Canterbury. Reg. Grindall fol. 97. a.

I. **F**YRSTE, Whether your bishop, and his chancellor, commissaries, and all his officers do minister justice indifferently and incorruptly to all her majesties subjects, and punish vice and public crimes with due punishment, without any corrupt commutations, neither respecting gifts nor persons; and whether any money, gifte, rewarde, or any other temporal commoditie (other then accustomed lawfull fees) hath been received for justices, or any judgments, or execution of lawes, or for any gifte, advowson, presentation, collation, institution, or induction, or for the procuring of any such to any spirituall or ecclesiasticall livynge; what hath been received, by whom, and by whose mediation?

II. Item, Whether your bishop, deane, chapter, and all other your governours do in their severall regiments direct all their doings to seek the glory of God, the godly quietness of the church of England, of the upholding in good order of your cathedral church of — neyther suffringe of the same corrupt doctrine, nor offensive manners; and whether any of them doth, or hath, make, or suffer any wast, ruyne, decaye, or dilapidation of the goods, or possessions of this church, as by decaye, or not repaying the church, and their severall houses, alienating the stocke, buildinges, ymplementes, or other moveable goodes of the church, or committing any of the same to private uses, or making of leases in possession, or reversion, for moe yeres, or otherwaies, then the statutes of your church do prescribe, or by greedy wast of timbre, excessive sales of woode, advowsons, unused and unreasonable grauntes, patentes, and reversions of offices, unwounded annuities, and such like greedy gripinge of thinges present, to the impoverishing of the church and succession; how many, and what they be, whether any such grante or advowson hath been solde for any value; by whom, to whom, and for how much, and who now enjoyeth the same?

III. Item, How many such grauntes, patentes, advowsons, sales, offices, annuities, and such like hath binne confirmed by your chapter seal, sithence the first yere of her majesties reign, to whose use, and by whose means,

and what money was received for the same by whom, and to whose use; whether any like gifte, graunt, advowson, or lease, for longer time than for twenty one yeres, or three lives, hath been made, or confirmed, antedated, or by other collorable means procured, in possession or reversion, sithence the beginning of the parliament in the thirteenth yere of her majesties reigne; what those be, and by whose means procured, and to what use?

IV. Item, Whether your deanes, archdeacons, and other dignities of your church be resident or not; who they be, what other promotions or livings every one of them hath, and in what dioceses; and whether every one of them be ministers or not, whether they use semely or preebly garmentes, according as they are commaunded by the quenes majesties injunctions to doe?

V. Item, Whether your prebendaries be commonlie resident, or how many of them? what orders they be in, how, and in what apparell they do commonly go; whether they do preache in their severall courses; or how often; and what times in the yere; or how often they do resort to your cathedral church?

VI. Item, Whether your divine service be used, and the sacraments ministred in manner and forme prescribed in the quenes majesties injunctions, and none otherwaies; whether it be said or songe in due time; whether in all pointes, according to the statutes of your church, not being repugnant to any of the quenes majesties lawes or injunctions; whether all that were wonte to be bounde, or ought to come to it, do so still; whether every one of your church doth openly communicate in the said cathedral church, at the least, once in every yere?

VII. Item, Whether your grammer schole be well ordered; whether the number of the children thereof be furnished; how many do want, and by whose default; whether they be diligently and godly brought up in the feare of God, and holsom doctrine; whether any of them have been received for money or rewardes, and by whome; whether the statutes, foundations, and other ordinances towching the godly prescribed, and used almes of your church, and

and the said grammer scholemaster, or the schollars thereof, or any other havinge doing or interest therein, be kept, by whom it is not observed, or by whose default; and the like, in all points, you shall enquire and present of your choristers, and their master?

VIII. Item, Whether all other officers, and ministers of your church, as well within as without, do their duties in all pointes obediently and faithfully, and whether your deane, stewardest, treasurers, burfours, receyvers, or any officer, having any charge, or any waies being accomptant to the said church, do make a trewe, perfect, and faithfull account at such daies and times, as be limited and appointed by the statutes and customes of the said church, making full payment yerely of all arrerages; whether any money, or goods, of the church do remain in any mans hands; who they be, and what somme remayneth?

IX. Item, You shall enquire of the doctrine and judgement of all and singuler hed and members of your said church; as your deane, archdeacons, prebendaries, readers of divinitie, scholemasters, vicars, petticannons, deacons, conductes, singing men, choristers, scholers in grammer scholes, and all other officers and ministers, as well within your church as without; whether any of them do either priveley or openly preache any unholsome, erronious, or seditious doctrine, contrary or repugnant to any article agreed upon in any synod of the clergy of the province of Cant. sithence the first yere of her majesties reign, or discourage any man soberly for his edificatione from the reading of the holly scriptures, or in any point to perswade, or move any not to conform themselves to the order of religion

reformed, restored, and revived by public authority in this church of England?

X. Item, You shall enquire of the names and surnames of all and singuler the abovenamed members, officers, and ministers of this your said church, as well high as low, whether you know and suspect any of them to obtaine his rone or lyving by simony, that is, by money, unlawfull covenantes, guifte, or reward; who presented him; whether his living be in lease, and by whom it is leased; to whom, and upon what rent; whether he doth pay any pension; for what cause, what somme, and to whom; whether any of them be knowen or suspected to be a swearer, and adulterer, a fornicator, or suspected of any other unclenelyness; whether any of them do use any suspect house, or suspected company of any such faults, any tavern, alehouse, or tippling houses at any inconvenient season; whether any of them be suspected to be a drunkard, a dicer, a carder, a brawler, fighter, quarreller, or unquiet person, a carrier of tales, a backbiter, slanderer, bate maker, or any other waies a breaker of charitie or unity, or cause of unquietness by any meanes?

XI. Item, Whether you have necessary ornaments and bookes for your church?

XII. Item, Whether your church be sufficiently repayred in all partes; what stocke or annuitie is there towards the reparations of the cathedrall church; in whose hands and custodie doth it remayne?

Item, Finally you shall presente what you think necessary or profitable for the church to be reformed, or of newe to be appointed and ordred in the same.

Archiepisc. Cant.
EDM. GRINDALL I.

Anno Christi
1576.

Reg. Angliae
ELIZAB. 18.

Orders for reformation of abuses about the learned exercises and conferences among the ministers of the church. Strype's life of Grindall p. 220.

I. **I**N PRIMIS, The said exercises are to be used in such churches, and at such times, as the bishop of the diocese shall under his hand and seal appoint.

II. Item, That in all such assemblies for the said conferences or exercises, either the archdeacon, if he be a divine, or else some one other grave learned graduate, at the least, to be appointed and allowed by the bishop, as before, be present and moderate the said exercises.

III. Item, That a catalogue of names be made and allowed of those that are judged meet to be speakers in course in the said exercises; which are known to be able to speak aptly, and to the profit and edifying of the hearers. And such parts of the scripture entreated of, as the bishop shall appoint.

IV. Item, That the rest of the ministers, not able to speak publicly with commendation, be assigned by the moderators some tasks, for the encrease of their learning, to be comprised in writing, or otherwise concerning the

exposition of some part of scripture; and those tasks to be read privately before the ministers only, and not before the laity.

V. Item, Ante omnia, That no lay person be suffered to speak publickly in those assemblies.

VI. Item, That no man speaking in the said exercises, shall be suffered to glance openly, or covertly against any state, or any person public or private. If he do, the moderators shall immediately interrupt him, and put him to silence; and notice to be made of the cause of interruption to the bishop, and the party interrupted not to be again admitted, without the bishop's approbation, and the knowledge of his offence.

VII. That no man be suffered in the said exercises to make any invections against the laws, rites, policies, and discipline of the church of England, established by public authority. If any attempt the contrary, he is immediately to be commanded to silence. And the moderator or moderators, are therein to satisfy

tisfy the auditory. And the speaker shall not be admitted to speak any more, till he, after public satisfaction made, shall obtain a new admission and approbation of the bishop.

VIII. Item, Forasmuch as divers ministers deprived from their livings, and inhibited to preach, for not obeying the public orders and discipline of the church of England, have intruded themselves in sundry places, to be speakers in the said exercises, and being excluded from pulpits, have in the said exercises usually made their invections against the orders, rites, and discipline of the church, which hath been the cause to move divers to a dislike of the

said exercises (being of themselves, if they be well used very profitable for many respects) every bishop is to take strict order in his diocese, that hereafter none be suffered to be speakers in the said exercises, which remain deprived or inhibited for the causes aforesaid, except they shall have before conformed themselves to order: neither any other, which shall not, both by subscription and daily practise, conform himself to public orders and discipline of this church by law established.

EDM. CANTUAR.

Archiepisc. Cant.
EDM. GRINDALL I.

Anno Christi
1576.

Reg. Angliae
ELIZAB. 19.

The council's letter to the archbishop of Canterbury about the observation of Ember days and Lent. Reg. Grindall in Strype's life of Grindall p. 226.

AFTER our hearty commendations to your good lordship. The queen's majesty of late entering into consideration, how that, notwithstanding sundry good statutes and laws made heretofore by common consent in parliament to the contrary, the observation of the Embring and fifty days is not so duly looked unto, as it ought to be, and as is requisite in policy for the maintenance of mariners, fishermen, and the navy of the realm; hath thought convenient for the cause, first in her highness's own household to give strait charge unto the officers, for the observation of them: and it is ordered, that they shall be more carefully lookt unto and continued, than heretofore they have been. The like we have signified by her majesty's special appointment, to the lord mayor of the city of London, and other her majesty's officers and loving subjects abroad; to the intent that by an unfeigned observation in all places throughout the realm of the said law already provided and meet to be put in execution in this respect, the state might take such benefit thereby, as was at the time of the making intended; which we can assure your lordship is the only cause, why at this time the observation of them is so much urged. Howbeit for that it may be, that this her majesty's good meaning may either be misconstrued by some and depraved by others, as though any superstition (wherewith her majesty, God be thanked, is not to be touched or suspected) were thereby intended; for the meeting with and answering such slanderous conceits as may be spied and mistaken among her highness's subjects, we have thought good to require your lordship to give order

within your province, that the ministers and preachers, which are or shall be admitted to that function, be commanded, in their sermons and exhortations to the people to instruct and teach them to be willing and obedient to conform themselves and their families to the observation of the said laws, as in duty they are bound; and further declare unto them, that the same is not required for any liking of popish ceremonies heretofore used (which utterly are detested) but only to maintain the mariners and navy in this land, by setting men a fishing. Which thing is so necessary for the realm, especially in these dangerous times, as no means are to be omitted, whereby it may be thought the same may be according to the laws brought to pass, and perfected accordingly.

And for that the exhortations and doctrines of good and dutiful ministers may do much good in this matter, both to remove scrupulousness and misconceits of some few, and also to induce the greater and common number to obey and observe the said laws; we have thought good to signify so much unto your lordship, that by the good assistance of you, and others under you, the matter might be furthered, and take such good success for the benefit of this realm, as we desire. From Hamptoncourt the 13th of December, M.D.LXXVI.

Your lordship's right assured loving friends,

W. Burghley. F. Knollys.
A. Warwick. Jam. Croftes.
R. Leicester. Fra. Walsingham.

Concilium provinciale Ebor.

CONVOCATIO cleri provinciae Ebor. a die mensis Martii anni praecedentis ad 5. diem

Aprilis, et ab eo ad 19. ejusdem mensis, ac postea ad 6. diem Novembris continuata fuit.

Queen

Q. ELIZABETH'S LETTER AGAINST CONVENTICLES. 289

Archiepisc. Cant.
EDM. GRINDALL 2.

Anno Christi
1577.

Reg. Angliae
ELIZAB. 19.

Queen Elizabeth's letter to the bishops throughout England against conventicles, and for the suppressing the exercise called prophesying. Ex MS. Cotton. Cleopat. F. 2. fol. 287.

RIGHT reverend father in God, we grete you well. We here to our greate greefe, that in sundry parts of our realme there are no small numbers of persons, presuminge to be teachers and preachers of the church, though nether lesfulie thereunto called, no yet [fit] for the same, which, contrary to our lawes established for the publique divine service of almighty God, and the administration of his holie sacraments within this church of England, doe daylie devise, imagine, propound, and putt in execution sundrie new rites and formes in the church; as well by their preaching, readinge, and ministringe the sacraments, as well by procuringe unlawfull assemblies of a greate number of our people out of their ordinarie parishes, and from place far distant, and that also of some of good callinge (though therein not well advised) to be hearers of their disputations, and new devised opinions upon pointes of divinity, farre and unmeete of unlearned people, which manner of invasions they in some places call prophesyinge, and in some other places exercises; by which manner of assemblies, great numbers of our people, speciallie the vulgar sorte, meete to be otherwise occupied with honeste labour for there livinge, are brought to idleness, and seduced, and in a manner schismatically divided amongst themselves into varietie of dangerous opinions, not only in townes and parishes, but even in some families; and manifestlie therby incorraged to the violation of our lawes, and to the breache of common order, and finalie to the offence of all our quiett subjects, that desier to serve God accordinge to the uniforme orders established in the church, whereof the sequele cannot be but over dangerous to be suffred. Wherefore consideringe it should be the dutie of the bushopes, being the principall ordinarie officers in the church of God, as you are, once to see this dishonors against the honor of God and the quietness of the church reformed, and that wee see that by the increase of these through sufferance, great daunger may ensue even to the decaye of the christian faith, whereof we are by God appointed the defendor, besides the other inconveniences, to the disturbance of our peaceable govern-

ment; we therefore, accordinge to authoritie we have, charge, and command you as the bushopp of that diocesse with all manner of diligence, to take order throughe your diocesse, as well in places exempt as otherwise, that no manner of publique and divine service, nor other forme of th' administration of the holie sacraments, nor any other rites or ceremonies be in any sort used in the church, but directlie accordinge to the orders established by our lawes. Nether that any maner of person be suffred within your diocesse to preache, teache, reade, or anie wise exercise any function in the church, but such as shall be lawfully approved and licensed, as persons able for there knowledge, and conformable to the ministrie in the rites and ceremonies of the church of England; and where there shall not be sufficient able persons for learning in any cures to preach, or instructe their cures, as were requisite, there shall you limittè the curats to read the publike homilies, accordinge to the injunctions heretofore by us geven for like causes. And furthermore considringe, for the great abuses that have byn in sundrie places of our realme, by reason of our forsaid assemblies, called exercises, and for that the same are not, nor have not ben appointed nor warranted by us, or by our lawes; we will and straightlie charge you, that you also charge the same forthwith to cease, and not to be used; but if any shall attempt or continew, or renew the same, wee will you not onlie to comitte them unto prison, as maynteyners of disorders, but also to advertise us or our counsaile of the names and qualities of them, and of there mayntainers, and abettors, that thereuppon for better example their punishment may be more sharpe for their reformation. And in these things we charge you to be so carefull and vigilant, as by your negligence, if wee shall here of any personn attemptinge to send in the premises without your correction or reformation to us, we be not forced to make some example or reformation of you, accordinge to your deserts. Yeven under our signet at our mannor of Greenwich the 7th of May, M.D.LXXVII.

Archiepisc. Cant.
EDM. GRINDALL 2.

Anno Christi
1577.

Reg. Angliae
ELIZAB. 20.

The archbishop of Canterbury's letter to the lords of the privy council, about the same. Ibid.

RIGHT honourable and my singlar good lords. I cannot denye but that I have bene commaunded bothe by the quene's majesty her-

self, and also by divers of your honourable lordships in her name, to suppress all those exercises within my province, that are com-

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monly called prophecies. But I doe proteste before Godd, the judge of all hartes, that I did not of any stubborness or wilfulness refuse to accomplishe the same, but only upon conscience; for that I found suche kinde of exercise set downe in the holie scriptures, and the use of the same to have continued in the primitive church. And was perswaded that (the abuse being reformed, which I alwaies offered myfelfe reddie to labour in) the said exercise might yet serve to the greet profite of the church; and feared that the utter suppressing of them wolde breed offence. And therefore was a most humble sutor unto her majestie, that I might not be made the chief instrumente in suppressing the same. Yet not prejudicing or condemning any, that in respecte of pollicie or otherwise, sholde be of contrary judgement, or beinge of authoritie sholde suppress them. For I knowe right well, that there be some things of that nature, wherein diverse men may be of diverse opinions, and abownde in their owne sense (being not repugnant to the analogie of faith) without any prejudice to their salvation, or any prejudice of other to other. Notwithstanding, howsoever others, being otherwise perswaded, might saie doe yt; yet I thought it not safe for me (being so perswaded in mynde) to be the doer of that, whereof my owne harte and conscience woulde condemne me. And whereas I have susteyned the restrainte of my liberty, and sequestration of my jurisdiction, nowe by the space of six monthes, I am so far from repining thereat, or thinkinge myself injurioullie or hardlie dealte withal therein at her

majesty's haunds, that I doe thankfully imbrace and franklie with all humilitie acknowledge her princelye, gratiouse, and rare clemency towards me, who havinge authoritie and power to have used greater and sharper severitie againste me, and for good policie and example thinkinge it so expediente, hath notwithstanding dealte so mercifully, mildlye, and gentlye with me.

But the greateste grieve, that ever I have hadd or have, is the loss of her majesties favour, and the susteyninge of the displeasure of so gratiouse a soveraigne; by whome the church and realme of Englande, hath ben so longe, so happilie governed; and by whom myfelfe privatelie, and speciallie above other subjects, have received so many, and so great benefits above all my deserving. For the recoverie of whose gratiouse favor, I moste humblye beseeche your lordships to be a meanes to her majestie for me. The which obteyned, I shall esteeme farre above all worldlie benefitts whatsoever. And I proteste here before Godd, and your honours, that not onely my dewtifull and humble obedience to her majestie shalbe suche, as she shall have no cause to repente her of her graciouse goodness, and clemencie shewed unto me; but also that by moste fervente, hartie, and daylie praier (as I have done hitherto) so I will contynewe, accordinge to my bownden dewtie, to make moste earnest fute unto allmightie Godd for the longe preservation of her majesties moste happie raigne, to the unspeakable benefitt of the church and realme of Englande. 29. November. M.D.LXXVII.

EDM. CANTUAR.

Archiepisc. Cant.
EDM. GRINDALL 2.

Anno Christi
1577.

Reg. Angliae
ELIZAB. 20.

Queen Elizabeth's letter to John Whitgift, bishop of Worcester, to forbid prophecies,
Strype's life of Whitgift. p. 81.

RIGHT reverend father in God, etc. Considering, that our chief care and study is, to see the good laws, which are set forth for the quiet government of this our realm, and among other things as the chiefeft, that the orders established in the church for the advancement of God's glory, may be duly observed, and an uniform unity maintained among the clergy, and other our good subjects; which will be the better done and continued, by the diligence of the ordinary, and by the instruction and travel about the diocese by personal visitation, as is meet, that he may rather see than hear, what is meet to be by him reformed; and understanding, that of late years there hath been used in divers dioceses of this realm a certain public exercise, or, as they call it, prophesying, by certain persons pretending a more purity, by the manner of the doing thereof, evil effect hath ensued in some places, to our grief, among the unlearned sort, easy

to be carried with novelties; therefore, for certain good causes moving us, we do will and command you, forthwith, upon the receipt hereof, to make expresse order throughout all your diocese, that all such prophecies be forborn, and none other exercise be suffered to be publickly used, than preaching by persons learned, discreet, conformable, and sound in religion, heard and allowed by you without partiality, and reading homilies in such sort, as is set forth by public authority, by the injunction and order of the book of common prayer. And further that you signify unto us, or to some of our privy council attending about our person, the names of all persons, of what degree soever the same be, that are the setters forth and maintainers of such exercises, and in what places, as also of such as shall impugn this order; and what you shall have done herein from time to time, hereof not to fail, as ye tender our pleasure, and will avoid the contrary at your peril.

And also by diverse of your honours, I cannot deny but that I have bene commended both by the queene's majesty her

A letter

Archiepisc. Cant.

EDM. GRINDALL 3.

Anno Christi

1579.

Reg. Angliae

ELIZAB. 21.

A letter from the lords of the queen's council to the archbishop of Cant. concerning a libel printed against her marriage with Monsieur the French king's brother. Reg. Grindal in Strype's life of Grindal append. p. 92. seqq.

AFTER our right hearty commendations to your good lordship; you shall understand, how of late hath been imprinted within the city of London a certain libel entitled "The gaping gulph," wherein the author, under the pretence of misliking of some dealings treated of between her majesty, and the duke of Anjou, the French king's brother, in very deed seemeth to go about to draw her majesty's subjects into some mistrust and doubt of her highness's said actions, as tho' thereby some alteration were like to ensue, especially in religion, which her highness hath heretofore established and maintained, and is fully determined with the assistance of God's goodness and grace to uphold and maintain during her life, yea and even with the hazard of her own person; whose constancy in that behalf cannot in reason be called in question, if with thankfulness it be thought on; how her majesty hitherto, for the maintenance of the same, hath willingly sustained the malice of the great and mighty princes her neighbours; as one that wholly dependeth on God's providence, with assurance that so long as she shall continue a nurse to the church, she shall never lack for merciful assistance.

Notwithstanding for as much as we know, that divers of the said books have been seditiously cast abroad and dispersed in sundry places of this realm, and have good occasion to think the same hath been done within your lordship's diocese; by the reading whereof her majesty's good subjects, especially those of the clergy, may perhaps by oversight credit, upon vain suspicions and presumptions be induced to think and speak otherwise of her majesty's doings, than either they have cause to do, or it becometh dutiful and obedient subjects: her majesty for the removing of all such doubts, as may be conceived in that behalf, and the better confirming of her faithful servants in such a good opinion of her highness, as both her doings and government over them (the like whereof never happened within this realm) have deserved, and appertaineth before God and men unto their duties; hath at this present caused a proclamation to be made, printed, and published, which we send your lordship herewith. Upon the receipt whereof her majesty's pleasure is, that with as much speed as you conveniently may, you should assemble the special noted preachers and other ecclesiastical persons of good calling within your diocese, and upon the reading of the said proclamation, to signify unto them her highness's constant and firm determination to maintain the state of religion without any alteration or change in such sort as hitherto she hath done; and that as heretofore she could not by any persuasion or pra-

ctice of sundry adversaries be brought to alter or change the same, so now much less her meaning is at this present, by any treaty with the said duke to do the like; who hath heretofore shewen himself a friend to those of the religion even with the hazard of his estate and life: a thing notoriously known, tho' by another of the libels it be otherwise untruly given out, and doth deserve in respect of the honour he did of late to her majesty, in vouchsafing to come and see her in such a kind and confident manner, without respect of the peril he did expose himself to in the said voyage, both by the sea and by the land, to be honoured, and esteemed of all those that truly love her highness.

Ye shall also admonish them, that in their sermons and preachings, they do not intermeddle with any such matter of estate, being in very deed not incident, nor appertaining to their profession; but commanding them to contain themselves within the limits and bounds of their callings, which is to preach the gospel of Christ in all purity and singleness, without entangling and confounding themselves in secular matters; wherewith they ought to have nothing to do at all; but rather teach the people to be thankful towards almighty God for the great benefits both of liberty of conscience, peace, and wealth, which they have hitherto enjoyed by her majesty's good means; and to beseech him to continue and encrease his blessings over us, to the intent that in all humbleness and obedience under her gracious government, we may lead a quiet and christian life, rather than by intermeddling in such matters impertinent to their calling, go about to give occasion of distrust or disquietness among the subjects of this realm. By which their unorderly dealings there cannot but grow great prejudice to the cause of religion, which may be perhaps pretended, but in very deed is like by such means rather to be hindered than furthered.

And to such of the said preachers as dwell in remote places and cannot be present at the said assembly, you shall signify so much by your letters. And in case any of them shall understand, that any persons whatsoever by the said books, or otherwise, shall have been seduced, and carried into any such doubt or mistrust of religion, or prejudice like to ensue in this realm, you shall charge them by all godly and christian persuasions, to do their best endeavour to remove all such undutiful and unnecessary conceits; being far contrary to her majesty's most gracious meaning. And in case they shall not be able so to prevail as were convenient, but shall understand, that either some other persons shall otherwise deal in this matter, or that the people rest not therewith satisfied; and so shall think

think that some further order is necessary to be taken in that behalf, you shall charge them forthwith to give notice thereof unto you, the ordinary. And thereupon you, by your authority, shall call such persons before you, as in whom you shall find any cause to be reformed; and by your information or otherwise, correct them in their error, so as no farther inconvenience follow by such disordered behaviour.

And so requiring your lordship, that here and there may be no want of your diligence, as

you tender her majesty's service, and will answer to the contrary at your peril, we bid you right heartily farewell. From Greenwich the 5. Octob. M.D.LXXIX.

Your lordships very loving friends

Tho. Bromely, canc.	H. Sydney.
Will. Burghley.	F. Walsingham.
Hunsdon.	Tho. Wilson.
F. Knollys.	

Archiepisc. Cant.
EDM. GRINDALL 4.

Anno Christi
1579.

Reg. Angliae
ELIZAB. 22.

The council's letter to the archbishop of Canterbury concerning some preachers, that refused to celebrate the communion. Reg. Grindall in Strype's life of Grindall P. 244.

AFTER our hearty commendations. Whereas her majesty is credibly informed, that divers and sundry preachers in this realm do only apply themselves to the office of preaching; and upon some light conceipt to the dishonour of God, the breach of her majesty's laws, the offence of good subjects, and the great contempt of the sacraments, which groweth thereby, do separate themselves from the executing of the one part of the office of a priest, which is as well to minister the said sacraments, as to preach the gospel; and that by this occasion some are counted and termed, "reading," and "ministering," ministers, and some preachers and no sacrament ministers; therefore we are in her majesty's name to require your lordship to take a view of all such within your diocese, as do so disjoin the one part of the function from the other, and do not at certain times in the year

as well minister the holy sacraments in their own person, in what place soever they receive any portion for preaching; and yourself by your ecclesiastical censures to compel them to execute both. And such as you shall find intractable, to send them up to us, and to certify us immediately upon your said view, how many you find of those recusants within your diocese, that we may thereupon satisfy her majesty in that behalf. And so we commit your grace to God. From London the 17th day of January.

Your very loving friends

Tho. Bromely, canc.	Jam. Crofte.
W. Burghley.	Chr. Hatton.
E. Lincoln.	Fra. Walsingham.
J. Suffex.	Tho. Wilson.
J. Hunsdon.	

Archiepisc. Cant.
EDM. GRINDALL 4.

Anno Christi
1579.

Reg. Angliae
ELIZAB. 22.

Convocatio praelatorum et cleri provinciae Cantuar. in ecclesia cathedr. S. Pauli London. continuata ad 17. Januarii M.D.LXXIX. Ex reg. convoc. et excerptis Heylin.

IN prima hujus convocationis sessione (die Martis Januarii 17.) post dictam litaniam Anglici idiomate in ecclesia S. P. London. episcopi et clerus ad domum capitularem se conferunt, ubi literae commissionales archiepiscopi Cantuar. episcopum London. locumtenentem suum constituentem leguntur; qui assumpto hoc munere, clerum ad eligendum prolocutorem monuit, iis commendans venerabiles viros magistros L. Humfrey, Winton, Geo. Day, Windesor, et Gab. Goodman, Westmon. respective decanos, ut ex illis unum praesentarent proxima sessione. In qua (Jan. 25.) doctor Day electus confirmabatur; et dominus locumtenens, et confratres sui tractatum aliquem habebant inter se de quibusdam in ecclesia reformandis.

In tertia sessione (Jan. 27.) episcopis in domo capitulari congregatis, episcopus London. praefes convocationis, protulit quasdam literas missivas honorandorum virorum dominorum de pri-

vato concilio dominae reginae eidem reverendissimo, etc. inscriptas, quosdam errores et haereticas opiniones per novam sectam haereticorum, vulgo nuncupat. "The family of love" tangentes et concernentes. Quibus lectis, idem dominus praesidens, et caeteri reverendi patres tam de et super contentis in dictis literis missivis, quam etiam de reformatione aliqua contra recusantes se conformare susceptae religioni in hoc regno Angliae publica auctoritate stabilitae habenda, tractatum aliquamdiu habuerunt, et ea omnia prolocutori cum sex aliis domus inferioris membris accersito tradiderunt. Et praeterea mandavit dominus locumtenens, ut prolocutor et clerus rationem ineant de modo et forma subsidii dominae reginae per clerum concedendi.

In quinta sessione (Febr. 3.) accessit ad episcopos prolocutor cum quatuor aliis de clero domus inferioris, ac cum iis de et super quibusdam

dam articulis contra dictam novam sectam haereticorum in scriptis per aliquod tempus tractavit. In sexta sessione horis pomeridianis ejusdem diei episcopi super contentis in articulis, de quibus inter archiepiscopum Cant. caeterosque episcopos et clerum provinciae Cant. in synodo sive convocatione tent. apud Westm. ex prorogatione A. D. M.D.LXXV. conventum extitit, tractarunt, ac quaedam capitula ex iisdem extraxerunt, quae magis necessaria putarunt auctoritate parlamenti confirmari.

Archiepisc. Cant.
EDM. GRINDALL 5.

Anno Christi
1580.

Reg. Angliae
ELIZAB. 22.

Episcoporum epistola ad reginam Elizabetham pro restauratione archiepiscopi Cant.
Edm. Grindall. Ex MS. in Hyper. Bodlei. Bibl. Oxon.

NULLA propemodum res est, serenissima regina, de qua verius nostra opinione et rectius evangelii professores Romanae sedis insolentiam reprehendant, quam quod intolerabili quadam arrogantia non seipsam modo evexerit supra reliquas omnes ubivis terrarum Christi ecclesias, sed principes etiam dignitate praestantes, et summos totius orbis monarchas ita in suam potestatem redegerit, ut tanquam subditos quodammodo et beneficiarios suos legibus, institutis, mandatis obstrinxerit. Ab hac enim pontificia tyrannide sacrosancam principum majestatem ab optimo et maximo Deo constitutam et confirmatam aliquot jam secula vidimus infra ordinem redactam, projectam et prope conculcatam. Non libet hic commemorare Alexandros, Gregorios, Bonifacios, et falso cognominatos Clementes, nec qua meriti sunt ratione commonstrare, quam indignis modis tractaverint summa potestate praeditos imperatores et eximiis virtutibus ornatos. Nulla respublica fuit, nullum regnum, in quo non suos habuit Romana curia procuratores et administratos, horrenda quadam fulminandi potestate terribiles, quos principibus et summo magistratui semper opponerent. Non mirandum igitur, si majores tui, dignitate et prudentia praecellentes reges, parum gratos habuerunt Anselmos, Becketos, Langtones, et id genus alios, quos sibi tanquam compedes injectos videbant, ut non quae ipsi pro regia dignitate, pro legibus, pro moribus vellet facere, sed quae liberet pontificibus administrare cogerentur. Immanem hanc et plane non ferendam superbiam evangelii doctrina paucis annis, sit Deo gratia, et ex hoc regno, et ex aliis plerisque rebuspublicis, prout merita est, profligavit. Nam et nos, qui sub tuae majestatis patrocinio vivimus, et reliqui omnes quicunque sunt in aliis locis verbi praecones, divinae scripturae normam insequentes, eandem pro eo atque decet et pro viribus oppugnamus, ut impiam, sceleratam, et sacrilegam. Vere igitur si homines aestimare voluerint, facile constituent, post propagatam hisce proximis annis evangelii lucem, sublimem illam regum et principum auctoritatem, multis antea seculis enervatam, revixisse quodammodo, et in pristinam dignitatem restitutam. Injustam igitur et (quod cum bona tuae majestatis venia dicamus)

VOL. IV.

In octava sessione (Febr. 17.) libellus subsidii in synodo confirmatus reginae per episcopos London. Winton. Lincoln. Meneven. Sarum, et Wigorn. exhiberi decernebatur. Post varias deinde convocationis continuationes, in quibus nihil actum est, episcopus London. eam 20. die Martii ad 25. diem Aprilis, anni M.D.LXXXI. prorogavit. Quo die adveniente, per breve regium et per sedecim diversas prorogationes convocatio continuata fuit usque ad 20. diem Aprilis, A. D. M.D.LXXXIII.

a christiana charitate alienam calumniandi materiam arripiunt, quo hisce temporibus, ut nostram existimationem convellant, episcopos accusant, tanquam immoderatae dominationis cupiditate obstrictos. In evangelicis enim ecclesiis quicunque episcopi et ministri, vel cum maxima sunt potestate, quam quidem legibus sustinere possunt, hoc solum sibi muneris vendicant ipsis a Deo impositum, ut libera conscientia queant salutarem verbi doctrinam et divina Christi mysteria ad evangelii normam administrare, et quorumvis hominum errata, vitia, scelera, ea, qua decet, gravitate reprehendere. Quicquid praeterea in rebus humanis auctoritatis habent, id a principe et summo magistratu proficisci et facile et libenter agnoscimus: tantum abest, ut tanquam immunes nos eximi cupiamus a potestate principum. Haec cum ita sint, sanctissima princeps, et cum hoc modo sumus omnes animati, non possumus non vehementer dolere, et in hac luce evangelii cum gemitu et lachrymis prosequi vicem reverendissimi Cantuariensis eximii Christi praesulis, et summi in ecclesia Anglicana sacerdotis Dei, quem jamdiu videmus maximo ecclesiae non dedecore modo, sed detrimento etiam in summa tuae majestatis indignatione constitutum. Molestiam certe nostram et animi acerbitatem tamdiu meliora sperantes, repressimus, ut jam non immerito vereamur ab omnibus bonis vel ingratitudinis, vel negligentiae, vel impietatis reprehensionem. Pro regia igitur mansuetudine tua ignosces, ut speramus, audaciae nostrae, si nunc tandem justus animi dolor erumpat, et hisce literis seipsum prodat apud majestatem tuam. Quamobrem pro christiana pietate et pro imposita nobis ecclesiarum cura et solitudine vehementer cum officio nostro in hoc tempore conjunctum arbitramur, ut demissis precibus tuam majestatem imploremus, et per pietatem tuam te et regalis animi clementiam obsecremus et obtestemur; ut illum digneris in gratiam recipere, et hujus offensae notam vel nostris votis, vel ipsius dignitati, vel ecclesiae saluti condones. Cujuscunque sit ordinis, qui offenderit, si non crimen sit capitale, paululum supplicii satis videri poterit principi et natura clementissimae, et religionis christianae rationibus insigniter instructae; multo magis si deliquerit praeclarus

F f f f

praeclarus aliquis Christi minister, et summus regni tui praeful. In hac causa fortassis parum ille se morigerum praebuit, et regio mandato tuo minus obsequentem. In caeteris profecto rebus omnibus illum audemus confirmare et tuae majestatis observantissimum civem, et regni hujus tui, si quis alius, fidissimum subditum, et ecclesiae Christi dignissimum praesulem, quod et florentem evangelii veritatem suis virtutibus egregie promovit, et eandem afflictam, et ex hoc regno profligatam nunquam deseruit, sed cum omnium rerum suarum, tum etiam vitae periculo, ut fidus Christi alumnus, exulantem illam, et in quasvis terras ab hominibus ingratis projectam persecutus est. In quo quidem afflictissimo suo tempore nihil arbitramur illi tantum intulisse molestiae et acerbitalis, quantum in hoc peperit, quod cum aliquo ecclesiae dedecore, et cum omnium bonorum dolore, in tuam sanctissimae principis et evangelii protectricis offensam et indignationem inciderit. Cogitat ille saepe, et id quidem certe cum gemitu et lachrymis, in quantum ea res timorem conceperit caeteras omnes evangelicas ecclesias, quae ex hujus offensionis auditione gravissimos dolores conceperunt, multa nostris ecclesiis et maxima pericula metuentes. Perspicit etiam proculdubio, quos spiritus hujus rei nuncium addiderit, et quantas spes concitarit hostibus evangelii, qui et tuae sacratissimae majestatis, et regni hujus tui florentissimi, et sanctissimae Christi ecclesiae ruinam et interitum avide et non dissimulanter expectant. Parce igitur illius viri doloribus, cujus vitam ipsi scimus acerbam esse, quod cum tuae celsitudinis offensione et evangelicae professionis non levi contumelia conjuncta sit. Parce gemitibus ecclesiae pastorem suum, et a tua benignitate constitutum moderatorem desiderantis. Tollatur per tuam pietatem et animi celsitudinem insolentissimis et tuis et ecclesiae et servatoris Christi hostibus tam indigna gloriandi et insultandi materia. Erige piissimorum civium animos in metu jam et squalore et luctu jacentes, et multa, quae possunt hac occasione pro nostris peccatis incidere, pericula timentes, tuam majestatem demisse, et humiliter precamur, ut in hac causa teipsam velis consulere, et ingenitam animi lenitatem in consilium adhibere, neque finas aliorum (si quae forte erunt) occultas criminationes te minus propensam ad misericordiam reddere, quam vel naturae tuae bonitas, vel christiana pietas, vel sanctissimae principis dignitas ferat. Habemus nos, qui in istis periculosis temporibus sub tua majestate gubernationem ecclesiasticam sustinemus, adversarios et sibi repugnantes, et utrinque nos infestis animis petentes, occultos scilicet papisticae corruptionis fautores ab uno latere, et curiosos quosdam rerum novatores ab altero. Utrisque pro eo atque debemus, et pro viribus nostris nos opponimus, quia utroque videmus publicae ecclesiae tranquillitati et quieti parum studiose faventes. Mirandum igitur non est, si ex utroque genere sint nonnulli, qui occultis cuniculis, diversa tamen ratione, et reverendissimi Cantuariensis, et nostram omnium

expectationem indefinenter impetant. Hujusmodi iniquissimis rationibus Eusebius scribit Constantinum, pietate et prudentia praecellentem imperatorem, ab Athanasii invidis et malevolis ita circumventum esse, ut sanctissimum illum patrem et fortissimum orthodoxae fidei propugnatorem, tanquam hominem praefractum et contumacem, cum incredibili christianae religionis detrimento, et dignitate privarit, et in exilium projecerit. Sed prospiciet, ut speramus, benignus Deus ecclesiae, nec patietur ille, qui corda regum habet in manu sua, ut singularis tua pietas adversariorum injustissimis querelis abducatur in odium nostri. Non dubitamus quin ex omnibus ordinibus subditos habeas fide et eximia pietate praestantes, quibus vita etiam sine tua majestate ingrata videbitur. Habes tamen proculdubio non paucos, qui licet bonorum civium commendationem studiose aucupentur, sine te se vivere posse sperant et fortassis etiam expectant. Sed nos, quos ecclesiae gubernationi praefecisti, cum a tua majestate discefferimus, nihil habemus humanum, quod speremus vel ad unum diem posse imminentem cervicibus et capitibus nostris calamitatem avertere. Dementes igitur essemus et vehementer stupidi, addimus etiam impii et scelerati, si non omni cura, diligentia, studio, pietate salutem tuam et incolumitatem complecteremur. Errare poterimus, et labi, et labimur frequenter omnes (homines enim sumus) sed cujusmodi animos geramus erga tuam majestatem et regni tui tranquillitatem, ille solus novit, qui preces nostras et gemitus audit quotidie ipsius misericordiam implorantium, ut te nobis diu conservet piam, propitiam, et benignam, principem. Sed aequo longius videmus nos proVectos et celsitudini tuae nimium molestos. Quod reliquum est, hoc unum enixe precamur, ut quae semper vel in graviter delinquentes mitissimae principis laudem consecuta sis, ne velis nunc commotior aut iratior videri in praeconem illius Christi, qui et initio tuam innocentiam contra hostium tuorum conatus protexit, et in amplissimi regni folio positam cum immortalis tui nominis gloria ecclesiae suae nutricem et patronam constituit, et constitutam mirabiliter tuetur et servat, potentissimisque adversariis etiam virginem formidabilem reddit. Singularis hujus beneficii memoriam si grato animo ut haecenus et pietatis officiis complecteris, non dubium quin idem Deus tuam majestatem et tuis et huic reipublicae et suae gloriae diu incolumem conservabit: quod nos etiam votis ardentissimis precamur.

Tuae majestatis observantissimi episcopi provinciae Cantuariensis

London. Winton. Elien. Hereford.
Lichfeld. Menevensis. Petriburgensis.
Lincoln. Norwicensis. Sarum.
Wigorn. Roffensis.

Has literas Lincolnienfis episcopus tradidit reginae.

Synodi

Archiepisc. Cant.
MATTH. PARKER 15.

Anno Christi
1580.

Reg. Angliae
ELIZAB. 22.

Synodi libellus supplex reginae porrectus pro restitutione archiepiscopi Cantuar.
Fuller Ch. Hist. l. IX. p. 120.

Serenissimae et potentissimae reginae Elizabethae, Angliae, Franciae, et Hiberniae reginae, fidei defensatrici, etc.

ET SI majestatem regiam sive verbo sive scripto interpellare, serenissima princeps Elizabetha, non decere, nisi rarius, non licere, nisi gravioribus de causis arbitramur; tamen cum praecipiat, apostolus ut "Dum tempus habemus, beneficiamus omnibus, maxime vero domesticis fidei," omittere nullo modo possumus, quin illud hoc tempore a tua celsitate humiliter contendamus, quod nobis ad petendum utile et necessarium, toti ecclesiae et reipublicae ad obtinendum, salutare et fructuosum, tuae denique majestati ad concedendum, perfacile et honorificum sit futurum. Quanquam igitur acerbissime dolemus et contristamur, reverendissimum patrem Cant. archiepiscopum, post tot annos, in tantam tamque diuturnam majestatis tuae offensionem incidisse; tamen valde vehementer speramus, nos veniam adepturos, si pro uno multi, pro archiepiscopo episcopi, pro tanto praesule tot ministri, serio et suppliciter intercedamus. Quod si deprecantium auctoritas in petitione valeret, haec causa jamdudum a nobilibus viris, si voluntas ab amicissimis, si experientia a prudentissimis, si religio a reverendissimis, si multitudo a plurimis, sic ut nostrae partes nullae nunc aliae videantur, quam ut orationem cum illorum rationibus, nostras preces cum illorum petitionibus supplicissime ac demississime conjungamus.

Ut enim Caesar Octavius jucundissimus propterea fuisse scribitur, quod apud eum quoties quisque voluit, dixit, et quod voluit, dum humiliter; sic ex infinitis illis virtutibus, quibus regium tuum pectus abunde cumulatur, vix ulla vel majestati tuae honorificentior, vel in populum tuum gratiosior existit, quam in admitendis hominibus facilitas, in causis audiendis lenitas, prudentia in discernendis, in satisfaciendis pietas et clementia. Nihil est enim tam populare, quam bonitas, atque principes ad praepotentem Deum nulla re propius accedunt, quam offensionibus deponendis, et obliviscendis injuriis, non dicimus septies, sed septuagies septies; nam si decem millia talentorum dimittantur nobis, nonne nos fratribus, conservis, subditis centum denarios condonabimus? Liceat enim nobis illud Christi praeceptum ad istud institutum bona tua cum pace accommodare, praesertim cum hortetur apostolus, ut "Mansuetudo nostra nota sit omnibus;" Christusque jubeat, ut "misericordes simus, sicut Pater noster caelestis misericors est." Vinum in vulnus infundere salutare est, et salutarius oleum. Christus utrumque adhibuit. Judicium cantare Domino jucundum est, ac jucundius est misericordiam. David utrumque perfecit. Gratiofa est in omnibus hominibus clementia, in proce-

ribus gratiosior, in principe vero gratiosissima. Gloriosa est regia mansuetudo, reginae gloriosior, virgini vero gloriosissima; si non semper, at saepius, si non in omnes, at in pios, si non in vulgus, at in magistratus, at in ministros, at in eum, qui in tam sublimi loco constitutus, magna apud nos auctoritate, magna apud alios existimatione, summa in sacratissimam tuam majestatem fide et observantia, praeditus; ut non saepe in vita deliquisse, sed semel tantum in vita displicuisse videatur; idque non tam prae fracta voluntate, quam tenera conscientia, cujus tantam esse vim magni auctores, et optimi quique viri scripserunt, ut quicquid, ea vel reclamante, vel errante, vel haesitante, fiat, non leve peccatum esse statuerint. Ac ut, quod verum est, ingenue et humiliter attendamus, et illud omnium quod unum agitur, vel necessario silentio, vel voluntaria oblectatione obruamus; si laudabile est vitam non modo ab omni crimine sed suspitione criminis, liberam traduxisse, traduxit; si honestum religionem ab omni, non modo papistica corruptela, sed a schismatica pravitate integram conservare, conservavit; si christianum, non modo propter justitiam persecutionem passum esse, sed per exterarum nationes propter evangelium oberrasse, et passus est, et oberravit. Quae cum ita sint, regina clementissima, omnes hae nostrae voces ad celsitudinem tuam prosectae, hoc unum demississime, et quam fieri potest, subjectissime comprecantur, idque per singularem naturae tuae bonitatem, per antea tuae vitae consuetudinem, per pietatem regiam in subditos, per charitatem christianam in inimicos, perque eam, qua reliquos omnes, et privatos, et principes excellis, lenitatem; ut velis majestatem tuam mansuetudine, justitiam misericordia, iram placabilitate, offensionem indulgentia mitigare, et archiepiscopum moerore fractum et debilitatum, non modo extollere jacentem, sed ecclesiam ipsi, ipsum ecclesiae, tuis civibus, suis fratribus, exteris nationibus, denique piis omnibus tandem aliquando restituere. Quod si fecerit majestas tua, vel potius cum fecerit (quod enim summe cupimus, summe etiam sperare jucundum est) non dubitamus, quin illum reverendissimum patrem supplicem et abjectum, non tam ad pedes, quam ad nutus tuos perpetuo sis habitura. Ita celsitati tuae persancte pollicemur, nobis neque in ecclesia constituenda curam, neque in religione propaganda studium, neque in schismatibus tollendis diligentiam, neque in hoc beneficio praecipue recolendo memoriam, neque in ferendo quas debemus gratias, gratam animi benevolentiam ullo unquam tempore defuturam.

Dominus Jesus majestatem tuam ad reipublicae tranquillitatem, ad ecclesiae conservationem, ad suae veritatis amplificationem omni felicitatis genere diutissime prosequatur.

Bulla

Archiepsc. Cant.
EDM. GRINDALL 5.Anno Christi
1580.Reg. Angliae
ELIZAB. 22.

Bulla Gregorii papae XIII. universis et singulis archiepiscopis, episcopis, caeterisque praelatis, necnon principibus, comitibus, baronibus, clero, nobilibus, et populis regni Hiberniae, salutem et apostolicam benedictionem. Foulis Romish Treasons lib. VI. c. 4.

CUM proximis superioribus annis per nostras literas vos hortati fuerimus, ut ad vestram libertatem recuperandam, eamque adversus haereticos tuendam ac conservandam, bonae memoriae Jacobo Geraldino, qui durum servitutis jugum vobis ab Anglis, sanctae Romanae ecclesiae desertoribus, impositum depellere summo animi ardore cogitabat, pro virili nostra adesse, eumque contra Dei et vestros hostes ire parantem prompte ac strenue adjuvare velletis; et quo id alacrius efficeretis, omnibus contritis et confessis, qui ipsum Jacobum, ducem, ejusque exercitum catholicae fidei assertorem, et propugnatorem secuti fuissent, et se illi adjunxissent, aut consilio, favore, comitatibus, armis, aliisque bellicis rebus, seu quacunque ratione in hac expeditione opem dedissent, plenariam omnium peccatorum suorum veniam et remissionem, et eandem, quae proficiscentibus ad bellum contra Turcas, et ad recuperationem terrae sanctae, per Romanos pontifices impertiri solita est, concessimus.

Nuper autem, non sine gravi animi nostri dolore, per nos accepto, ipsum Jacobum, fortiter cum hostibus dimicando (sicut Domino placuit) occubuisse; dilectum vero filium Johannem Geraldinum, ejus consobrinum, in expeditione hujusmodi eximia pietate et animi magnitudine, auctore Deo, cujus causa agitur, successisse, compluraque egregia facinora de catholica fide bene merendo jam edidisse; idcirco vos omnes et singulos majori, quo possumus, affectu hortamur, requirimus, et urgemus in Domino, ut eundem Johannem, ducem, ejus-

que exercitum omni ope, quemadmodum dictum Jacobum viventem, ut faceretis, vos admonuimus, contra dictos haereticos adjuvare studeatis.

Nos enim omnibus confessis et communicatis, et vestrum singulis, in dictis literis contenta pro ipso Johanne, et ejus exercitu facientibus, et post ipsius obitum, si forsitan contigerit, quod Deus avertere dignetur, Jacobo, ejus fratri adhaerentibus, atque faventibus, eandem plenariam peccatorum vestrorum indulgentiam et remissionem, quam adversus Turcas, et pro recuperanda terra sancta bellantes consequuntur, de omnipotentis Dei misericordia, ac beatorum Petri et Pauli apostolorum ejus auctoritate confisi, tribuimus et elargimur praesentibus, quoad dicti Johannes et Jacobus fratres vixerint, duraturis.

Quoniam autem difficile esset has nostras literas ad omnium, quorum interest, notitiam pervenire, volumus, ut earum exemplis etiam impressis, manu notarii publici subscriptis, sigilloque personae in dignitate ecclesiastica constitutae obsignatis, plena ac certa fides ubique habeatur, ac si praesentes essent exhibitae vel ostensae. Dat. Romae apud sanctum Petrum sub annulo Piscatoris die 13. Maii, M.D.LXXX. pontificatus nostri anno octavo.

CAES. GLORIERIUS.

Visa per dom. generalem S. Cruciatæ commissariorum.

JOHANNES DE LA RUMBIDE.

The form of abjuration tendered to those of the family of love. Fuller's Eccles. Hist. l. IX. pag. 113.

WHOSOEVER teacheth, that the dead, which are fallen asleep in the Lord, rise up in this day of his judgment, and appear unto us in godly glory, which shall henceforth live in us everlastingly with Christ, and reign upon the earth, is a detestable heretic. Who-soever teacheth, that to be born of the virgin Mary out of the seed of David, after the flesh, is to be expounded of the pure doctrine out of

the seed of love, is a detestable heretic. Who-soever teacheth, that Jesus Christ is come again unto us according to his promise, to the end, that all they which love God and his righteousness, and Christ and perfect being, might presently enter into true rest, which God has prepared from the beginning for his elect, and inherit the everlasting life, is a detestable heretic.

The council's letter to the archbishop about those that fell off from the church of England. Strype's life of Grindall p. 254.

AFTER our hearty commendations. Whereas the queen hath been informed that divers persons within the province of Canterbury, both of the common and better sort, who of late time have been conformable to the

laws of this realm concerning religion, are now fallen away, and have withdrawn themselves from coming to church, to the evil example of other her majesty's good subjects, and to the great offence of her highness, who doth not a little

a little marvel by what means this relapse should happen; having delivered sufficient authority unto your lordship, and others joined unto you by virtue of her commission ecclesiastical, warranted by the laws of this realm; whereby you might at all times have repressed the insolency, and corrected the disobedieney of such, as therein should have presumed to offend, if such care and vigilance had been used within your charge, as appertaineth. Her highness's pleasure therefore is, that for the present reforming and punishing those that have, and do herein disobey the laws, you give order to have them forthwith convented before such, as do attend the execution of her majesty's high commission, and proceeded withal according to the direction of the said high commission. And first, that consideration being had of such as have been heretofore convented before the high commissioners, in what terms they stand for their conformity; how many of them are at liberty, and in what sort, and how many do remain committed, and where; and such of them as shall be found at liberty, and do continue obstinate, to be returned to prison, and such further order to be taken with them and the rest, as is prescribed in the said commission. And for as much as a great deal of the corruption in religion, grown throughout the realm, proceedeth of lewd schoolmasters, that teach and instruct children, as well publickly as privately in mens houses, infecting eachwhere the youth, without regard had thereunto (a matter of no small moment, and chiefly to be lookt into by every bishop within his diocese) it is thought meet for redress thereof, that you cause all such schoolmasters, as have charge of children, and do instruct them either in public schools or in private houses, to be by the bishop of the diocese, or such as he shall appoint, examined touching their religion. And if any shall be found corrupt and unworthy, to be displaced, and proceeded withall, as other recusants, and fit and sound persons placed in their rooms.

And to the end her majesty may understand, what shall be from time to time done in the

execution of the said commission, to give order, that certificate be made of the proceedings in the said commission unto us of her majesty's privy council; wherein not doubting but you will answer her majesty's good expectation, according to the trust reposed in you, we bid your lordship heartily farewell. From the court at Nonfuch 18 June, M.D.LXXX.

In obedience to which, the archbishop issued out his mandate to his officers June the 21. to make diligent inquisition throughout his diocese of the contents of the council's letters. And for the more effectual doing whereof he sent withal articles of enquiry inclosed, which were as follow.

Inprimis, Diligently to enquire, what persons within your parish or charge, of what degree or calling soever they be, do absent themselves from their parish church upon pretence of conscience or religion; and how long they have so done.

II. Item, What persons have of late absented themselves from their parish church upon contempt or pretence aforesaid, that heretofore resorted thereunto.

III. Item, What persons do you know within your parish, that have been heretofore convented before the queen's majesty's high commissioners for causes ecclesiastical, for religion, and especially for not coming to church, that are at liberty, and yet have not conformed themselves?

IV. Item, What schoolmasters, are within your parish, and what their names are, that teach publickly or privately within any man's house, within your parish, of what state, calling, or condition soever he or they be; in whose house or houses any such schoolmaster or teacher is?

V. Item, Whether any such schoolmaster, or schoolmasters, is reported, known or suspected to be backward in the religion now established by the laws of this realm, that are thought any way to be secret hinderers thereof?

Archiepsc. Cant.
EDM. GRINDALL 5.

Anno Christi
1580.

Reg. Angliae
ELIZAB. 22.

A proclamation against the sectaries of the Family of Love.

By the queen.

WHEREAS by report of sundry of the bishops of this realm, and others, having cure of souls, the queen's majesty is informed, that in sundry places of her said realm, in their several dioceses, there are certain persons who do secretly in corners make privy assemblies of divers simple unlearned people, and after they have craftily and hypocritically allured them to esteem them to be more holy and perfect men than others are, they do then teach them damnable heresies, directly contrary to divers of the principal articles of our belief and christian faith; and in some parts so absurd and fanatical, as by

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feigning to themselves a monstrous new kind of speech never found in the scriptures, nor in ancient father or writer of Christ's church, by which they do move ignorant and simple people at the first rather to marvel at them, than to understand them; but yet to colour their sect withal, they name themselves to be of the Family of Love, and then as many as shall be allowed by them to be of that family, to be elect and saved, and all others, of what church soever they be, to be rejected and damned. And for that upon conventing of some of them before the bishops and ordinaries, it is found that the ground of their sect is maintained by certain lewd, heretical, and seditious books, first made

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in the Dutch tongue, and lately translated into English, and printed beyond the seas, and secretly brought over into the realm, the author whereof they name H. N. without yielding to him upon their examination any other name, in whose name they have certainly books set forth, called, "Evangelium regni, or a joyful message of the kingdom, documental sentences, the prophecy of the spirit of love, a publishing of peace upon the earth," and such like. And considering also it is found, that these sectaries hold opinion, that they may before any magistrate ecclesiastical or temporal, or any other person not being professed to be of their sect, (which they term the "Family of Love") by oath or otherwise deny any thing for their advantage, so as though many of them are well known to be teachers and spreaders abroad of these dangerous and damnable sects, yet by their own confession they cannot be condemned, whereby they are more dangerous in any christian realm; therefore her majesty being very sorry to see so great an evil by the malice of the devil first begun and practised in other countries, to be now brought into this her realm, and that by her bishops and ordinaries she understandeth it very requisite, not only to have these dangerous heretics and sectaries to be severely punished, but that also all other means be used by her majesty's royal authority, which is given her of God to defend Christ's church, to root them out from further infecting of her realm; she hath thought meet and convenient, and so by this her proclamation she willet and commandeth, that all her officers and ministers temporal, shall in all their several vocations, assist the archbishops of her realm, and all other persons ecclesiastical, having cure of souls, to search out all

persons duly suspected to be either teachers or professors of the foresaid damnable sects and by all good means to proceed severely against them, being found culpable, by order of the laws either ecclesiastical or temporal; and that also search may be made in all places suspected for the books and writings maintaining the said heresies and sects, and them to destroy and burn. And wheresoever such books shall be found after the publication hereof, in custody of any person, other than such as the ordinaries shall permit, to the intent to peruse the same for confutation thereof, the same persons to be attached and committed to close prison, there to remain, or otherwise by law to be condemned, until the same shall be purged and cleared of the same heresies, or shall recant the same, and be thought meet by the ordinary of the place to be delivered. And that whosoever in this realm shall either print, or bring, or cause to be brought into this realm any of the said books, the same persons to be attached and committed to prison, and to receive such bodily punishment and other mulct as fautors of damnable heresies. And to the execution hereof, her majesty chargeth all her officers, and ministers, both ecclesiastical and temporal, to have special regard, as they will answer not only afore God, whose glory and truth is by these damnable sects greatly sought to be defaced; but also will avoid her majesty's indignation, which in such cases as these are, they ought not to escape, if they shall be found negligent and careless in the execution of their authorities. Given at our mannour of Richmond the third of October, in the two and twentieth year of our reign.

God save the queen.

Archiepisc. Cant.
EDM. GRINDALL 5.

Anno Christi
1580.

Reg. Angliae
ELIZAB. 22.

A form of penance, laid before the synod by the archbishop of Cant. with his directions for it. Strype's life of Grindall p. 261.

FIRST, I wish at every public penance a sermon, if it be possible, be had. Secondly, In the same sermon the grievousness of the offence is to be opened; the party to be exhorted to unfeigned repentance, with assurance of Gods mercy, if they so do, and doubling of their damnation, if they remain either obstinate, or feign repentance, where none is, and so lie to the Holy Ghost. Thirdly, Where no sermon is, there let a homily be read, meet for the purpose. Fourthly, Let the offender be set directly over against the pulpit, during the sermon or homily, and there stand bare headed with the sheet, or other accustomed note of difference, and that upon some board raised a foot and a half at least above the church floor, that they may be "in loco editiore, et eminentiores omni populo," in an higher place and above all the people. Fifthly, Item, It is very requisite that the preacher in some place of his sermon, or the curate after the end of the homily, remaining still in the pulpit, shall pu-

blickly interrogate the offenders, whether they do confess their fault, and whether they do truly repent, and that the said offenders or penitents should answer directly, every one after another (if they be many) much like to this short form following, "mutatis mutandis."

Preacher, Dost thou not here before God, and this congregation assembled in his name, confess that thou didst commit such an offence, viz. fornication, adultery, incest, etc.

Penitent, I do confess it before God and this congregation.

Preacher, Dost thou not also confess, that in so doing, thou hast not only grievously offended against the majesty of God in breaking his commandment, and so deserved everlasting damnation; but also hast offended the church of God by thy wicked example?

Penitent, All this I confess unfeignedly.

Preacher, Art thou truly and heartily sorrowful for this thine offence?

Penitent.

Penitent, I am from the bottom of my heart.

Preacher, Dost thou ask God and this congregation heartily forgiveness for thy sin and offence? and dost thou faithfully promise from henceforth to live a godly and christian life, and never to commit the like offence again?

Penitent, I do ask God and this congregation heartily forgiveness for my sin and offence, and do faithfully promise from henceforth to live a godly and christian life, and never to commit the like offence again.

This done, the preacher or minister may briefly speak what they think meet for the time, place, and person; desiring in the end the congregation present to pray to God for the penitent, etc. and the rather, if they see any good signs of repentance in the said penitent.

Provided always that order be given by the ordinaries, when they assign penances, that if the penitents do shew themselves irreverent, or impenitent at their penances, that then their punishments be reiterated, and be removed from the church to the market place, that tho' themselves may thereby seem incorrigible, yet their public shame may be a terror to others.

If the ordinary see cause to commute the wearing of the sheet only (for other commutation I wish none) then appoint a good portion of money to be delivered immediately after the penance done in form aforesaid, by the penitent himself, to the collectors for the poor, with this proviso, that if he shew not good signs of repentance, he is to be put again to his penance with the sheet, and then no money at no time to be taken of him.

Archiepisc. Cant.
EDM. GRINDALL 5.

Anno Christi
1580.

Reg. Angliae
ELIZAB. 22.

Articles delivered to the lords from the lower house of convocation. Strype's life of Grindall App. p. 94.

FIRST That no bishop henceforth shall make any ministers, but such as shall be of age full twenty four years, and a graduate of the university, or at the least able in the Latin tongue to yield an account of his faith, according to the articles of religion agreed upon in the convocation; and that in such sort, that he can note the sentences of scripture, whereupon the truth of the said articles is grounded. And if any patron shall present any minister to any benefice, which shall not be in this sort qualified, that it shall be lawful for the bishop to refuse such presentee, and shall not be constrained either by double quarrel, or "Quare impedit," to institute any such. The bishop, that shall do contrary to this order, upon proof thereof, to be suspended by the archbishop from making of ministers, for the space of two years.

II. Item, That there shall not henceforth be used any commutation of penance, but in rare respects; that is to say, either for some great value or dignity of the person, or for fear of some desperate event, that will follow in the party, that should be put to open shame. And at such time his penalty of money to be large, according to the ability of the person; and by the ordinary, with good witnesses, to be employed either to the relief of the poor, or other necessary and godly uses: and yet even in this respect, the party offending, beside such pain of money, shall ever make in his parish church some satisfaction to the congregation, by declaring openly his repentant and sorrowful mind, for such offence committed. And here is earnestly to be desired, that in all other respects, and towards all other persons there may be some more strait punishment to be assigned by ecclesiastical judges, for adultery, whoredom, and incest, than now by ecclesiastical laws they can do; whether it be by imprisonment joyned with open penance, or otherwise.

III. Item, That there be no dispensation granted for marriage without banns, but under sufficient and large bonds, with these conditions following: That afterward there shall not appear any lawful let or impediment, by reason of any precontract, consanguinity, affinity, or by any other lawful means whatsoever. And secondly, that there be not at that present time of granting such dispensation, any suit or plaint, quarrel or demand moved, or depending before any judge ecclesiastical or temporal, for and concerning any such lawful impediment betwixt the parties. And thirdly, that they proceed not to the solemnization of the marriage without consent of parents and governors.

IV. Item, As touching dispensation for plurality of benefices, we wish that none may have that privilege, but only such, as for their learning are most worthy, and best able to discharge the same. That is, that the party at the least be master of arts of four years standing, and a common known preacher of good ability; and yet the same to be bound to be resident at each benefice some reasonable proportion of time.

V. Item, As touching excommunication, because it hath been ever used by ecclesiastical judges in their jurisdiction, we do find by conference, that the alteration thereof will be joyned with many difficulties, and almost by interruption of all ecclesiastical jurisdiction, unless many other things of bodily punishment and coercements be granted unto us. Which we think in these days will not only be more offensive than this is, but also by default of others make our proceedings in such case utterly frustrate: Therefore our desire is, that two or three honest persons well skilled in the ecclesiastical laws, may open unto your honours what inconveniences will follow, and how hardly this point will abide alteration.

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An argument propounded in the convocation, concerning reforming the ordinary use of excommunication, Ibid. p. 96.

Excommunication by the law was never used, nor could be used as a punishment of any crime, saving of notorious heresy, usury, simony, piracy, conspiracy against the person of the prince, of his estate, dignity, and crown, perturbors of the common peace and quietness of the church or realm, wilful murderers, sacrilegers, perjurers, and incorrigible and notorious committers of incest and adultery, false witnesses and suborners thereof, violent layers of hands upon ecclesiastical persons, demanders of more cured benefices than one, without authority, and such other great and horrible crimes, which were called "*sententiae canonum*," wherein, beside the particular penances, that bishops and their officers did impose, it was for more terror provided by ancient canons, that there should be a general open denunciation of this excommunication in every cathedral and parish church twice in the year.

For other light faults there was no excommunication permitted or used as a punishment, other than for manifest and wilful contumacy or disobedience in not appearing, when persons were called and summoned for a cause ecclesiastical; or when any sentence or decree of the bishop or his officer, being deliberately made, was wilfully disobeyed or not performed.

Such wilful contumacy and disobedience to authority is in the law accounted so great, that it was called a contempt of that, "*quod est in jurisdictione extremum*." That is to say, if the judge cannot have appearance of the parties, or execution of the judgments, he is at the wall, and can go no farther.

Of very ancient time this was their manner of proceeding in this realm, and the only means of reducing obstinate persons to the obedience of the law. It may appear by the ancient statute, or act of parliament in the ninth year of Edward II. that it was the old custom and usage of the realm long before that time. The words are these: "*Si aliqui, etc. propter suam contumaciam manifestam excommunicentur, ac post 40. dies pro eorum captione scribatur, praetendunt se privilegiatos, et sic denegatur breve regium pro captione corporum. Responsio regis: Nunquam fuit negatum [negata] nec negabitur in futurum.*"

It is to be considered, whether this manifest contumacy and wilful disobedience to the magistrate and authority be not as well punishable, when the original cause or matter is light, as weighty. The difference whereof doth nothing alter the matter of the disobedience. If for such disobedience it seemeth, that it is either unlawful or offensive to use excommunication, there is great consideration and wariness to be used in devising some other means and remedy instead thereof, to procure obedience and exe-

cution in causes ecclesiastical; and that the judge ecclesiastical may have those means laid down with such caution, that thereby upon pretence and colour of the reformation of this, all jurisdiction ecclesiastical be not utterly overthrown.

The means that were thought fit to be used instead of excommunication by archbishop Cranmer, Peter Martyr, Bucer, Mr. Haddon, and others, that did assemble for that purpose at that time, were imprisonment, or mulct pecuniary; and besides in persons ecclesiastical, sequestrations of their livings, and suspensions from the execution of their offices; but these means will be as commonly offensive in some respects, as the excommunication is now, and will be so hardly executed, that all the excommunications of the law ecclesiastical will be made frustrate.

And therefore if the course, that hath so long continued, cannot hold, but must needs be altered, I would wish it to be done by some other means, wherein we should not need to deal with any body, but as we were wont to do ordinarily, in effect as followeth, viz.

Where now for not appearing, or for not satisfying any sentence, decree, or order, the ecclesiastical judge doth pronounce the party "*contumacem*," and "*in poenam contumaciae*" excommunicates him; he shall pronounce him "*contumacem*," and "*in poenam contumaciae*" pronounce him "*ecclesiasticae jurisdictionis contemptorem*," and so denounce him. And if he shall continue forty days in not appearing, or in not satisfying, he shall signify the contempt "*jurisdictionis ecclesiasticae*" to the prince in the chancery, as he was wont to signify "*contemptum censurae ad cancellarium*" (to the chancellor) without any more change. And as the writs that were sent, were wont to be "*de excommunicato capiendo et relaxando*;" so they may be, "*de contemptore jurisdictionis ecclesiasticae capiendū vel relaxando*."

Then there may be general words, that such a contemner so pronounced and denounced, in all respects (saving for coming to the church, receiving of sacraments, and keeping company with others) shall in all respects and to all purposes be as incapable, and shall sustain all such other penalties, as a person excommunicated did sustain, before the making of this law.

In all heinous, great, horrible crimes excommunications may be used by the archbishops and bishops in their own persons, with such assistance, as shall be thought meet, as it was wont to be in the primitive church.

In this our realm, of very antient time it hath been truly observed from time to time, that there was never alteration made of any law ecclesiastical, although it had appearance to benefit the state of the clergy, but that it turned ever to some notable prejudice.

Archiepisc. Cant.
EDM. GRINDALL 5.

Anno Christi
1580.

Reg. Angliae
ELIZAB. 23.

Concilium provinciale Eboracense.

BREVE regium datum apud Westmonast. 25. die Novemb. anno regni XXIII. synodum praelatorum et cleri dioec. et provinciae Ebor. convocavit in ecclesia metropolitana S. Petri Ebor. 17. die mensis Januarii inchoandam; eodemque die sc. (25. Novembris) aliud breve regium pro proroganda illa convocatione ad diem 17. mensis Januar. emanavit. In hoc concilio post diversas continuationes de die in diem, 8. die mensis Martii subsidium dominae reginae concessum est, viz. sex solid. de libra de beneficiis et promotionibus ecclesiasticis in et per totam dioecesim et provinciam Eborum, prout in record. reg. decimis et primitiis taxantur. In hac concessionis forma inter alia habetur, quod praelati et cleri in praesenti convocatione comparentes officium suum erga serenissimam in Christo principem et dominam Elizabetham, etc. ponderantes ac multifaria eaque ampla in ipsos indies et cumulate non modo per gratiosissimum et piissimum suum regimen et imperium, quo pacifice gubernantur, divinoque obsequio inserviando et muneri suo obeundo et exequendo magis habiles et idonei redduntur; verum etiam idque praecipue per sacrosancti verbi Dei

editionem, sinceramque suam et verae religionis in hoc regno professionem et stabilitatem omnimodaeque forinsecae potestatis eisdem contrariae abolitionem collata recordantes, necnon tam inevitabiles illas expensas, quibus serenissima regia majestas in hujus regni aliorumque dominorum suorum defensione et protectione continuo de verisimili onerabitur, quam quas dudum in Hibernia contra papam et ejus adherentes verae religionis, regiaeque suae auctoritatis et status (quantum in eis fuit et est) ruinae et everisionem attemptantes, sustinuit, et impraesentiarum sustinet, advertentes et considerantes, pro declaratione ac in signum et pignus sui erga sublimitatem regiam officii et fidelitatis, unanimi assensu et consensu suis, subsidium praedictum modo et forma, prout in dicta concessione, ut praefertur, lecta continetur, petendum, exigendum, levandum, et solvendum concesserunt, etc.

Concilium a die 8. mensis Martii praedict. in diem 10. sequentem ejusdem mensis, et postea in 7. Aprilis prox. anni M.D.LXXXI. prorogabatur.

Archiepisc. Cant.
EDM. GRINDALL 6.

Anno Christi
1581.

Reg. Angliae
ELIZAB. 23.

The council's letter to the archbishop about recusants. With the archbishop's directions of enquiry for recusants. Strype's Life of Grindall p. 264.

AFTER our right hearty commendations unto your lordship. Whereas in the last sessions of parliament there was upon good and advised deliberation by her majesty, with the common consent of the whole realm, a certain act made for the retaining of such her majesty's subjects in their due obedience, as abusing her highness's former goodness and lenity refused to conform themselves in matters of religion, especially for coming to the church, according to the law; for as much as the execution of the said statute was thought most needful for the assurance and safety of her majesty's person, and this realm, and the preventing of such mischiefs and inconveniencies as otherwise might happen, if every one might be suffered to do what him listed; her majesty being very desirous to see all her subjects truly united in one consent and uniformity of religion, according to the laws of the realm, for the better service of almighty God, and quietness of this realm, hath willed us to require your lordship, forthwith upon the receipt hereof, to make, or cause to be made diligent search and enquiry as well, according to your former certificates of recusants, as by other the best means, that you can, what persons there be within your diocese, which do at this present refuse to come to the church, and to conform

themselves according to the said statute. And finding any such, you shall do well by conference with some learned and other godly disposed persons to admonish them and by instructions to persuade them to come to the church, and to behave themselves, as by the said law is required.

And in case any shall refuse so to do, then to take, or cause to be taken witness in writing both of the warning so given, and their refusal under the hands of the parson or curate, or other honest persons, which we pray you in every shire within your diocese to prefer, unto the "Custos rotulorum," and to the justices of the peace at the next sessions; so as the said persons may be indicted and ordered, as by the same law is appointed.

And generally we pray you, to have a good regard to the execution of the rest of the branches of the said act touching reconcilers, sayers, and hearers of mass, schoolmasters, and other like matters appertaining to your pastoral duty and charge. So as there may be no remissness or negligence found in you, as you will answer the same before almighty God and her highness, who expecteth a good account at your hands and your brethrens in these things. And so heartily praying you, that hereof there be no default, and from time to time advertise

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us of your proceedings, we bid your lordship heartily farewell. From Whitehall the 28th of May, M.D.LXXXI.

Tho. Bromely, can.	R. Leiceſter.
W. Burghley.	Fr. Knollys.
E. Lincoln.	Jam. Croftes.
T. Suffex.	Fra. Wallingham.
F. Bedford.	

In obedience to theſe orders, the archbiſhop diſpatched his letters to his officers of the dioceſe with the copy of the council's letter, and ſeveral articles whereupon they ſhould proceed.

The articles were theſe:

I. Firſt, You ſhall make enquiry, as well according to the former certificate heretofore made of recusants, as by other the beſt means you can, what perſons above the age of ſixteen years at this preſent, do reſuſe to come to the church, and to conform themſelves according to the ſtatute made in the laſt ſeſſion of parliament. When any ſuch recusants are by inquiry known and found, you ſhall uſe conference with them, and every of them. And joyning to you therein ſome learned, and other godly diſpoſed perſons, you ſhall admoniſh, inſtruct, and perſuade them, to repair to the church, and there to behave themſelves, as by the ſaid ſtatute is required.

II. Item, If any ſuch perſon, after warning given, ſhall reſuſe ſo to do, then you ſhall take two witneſſes thereof at the leaſt, and cauſe the warning and reſuſal to be written; and the ſame being written to be ſubſcribed by the ſaid witneſſes, and by the parſon, vicar, and curates of that pariſh, where ſuch recusant at the time of the reſuſal, and warning ſhall happen to dwell.

III. Item, You ſhall ſend, or cauſe to be ſent the ſame writing, in good and plain form, to the "Custos rotulorum," and juſtices of peace of that ſhire, where the perſons recusants have their dwelling at the time of the warning and reſuſal, at the next ſeſſions; that the ſaid obſtinate perſons may be there indicted and ordered, as by the ſaid ſtatute is appointed.

IV. Item, You ſhall alſo enquire, whether ſince the end of the laſt parliament, any perſon or perſons within my dioceſe have gone about or practiſed to move, withdraw, or perſuade any her majeſty's ſubjects within your dioceſe or charge from their natural obedience to her majeſty, or from the religion now by her highneſs's authority eſtabliſhed within her majeſty's dominions, to obey or to be reconciled to the uſurped authority of the biſhop of Rome, or to the Romiſh religion, or to profeſs any obedience to any pretended authority to the ſee of Rome, or of any other prince, ſtate, or potentate.

V. Item, You ſhall enquire whether any perſons within your dioceſe, after the end of the ſaid laſt ſeſſions of parliament, have been willingly reconciled, abſolved, or withdrawn as aforeſaid, or have promiſed any obedience to any ſuch pretended authority, prince, ſtate, or potentate, as is aforeſaid.

VI. Item, You ſhall enquire, whether ſince the ſaid time, any perſon have ſaid or ſung maſs within your dioceſe; and alſo whether any perſon hath, ſince the ſaid time willingly heard maſs ſung or ſaid.

VII. Item, You ſhall enquire, whether any ſchoolmaſter of ſuſpected religion, or that is not liſenſed to teach by the biſhop, or ordinary, doth teach in any public or private place within this dioceſe.

Archiepiſc. Cant.
EDM. GRINDALL 6.

Anno Chriſti
1581.

Reg. Angliae
ELIZAB. 23.

Synodus cleri provinciae Ebor.

SYNODUS haec ad diem 7. menſis Aprilis prorogata, hoc die inter alia de procuratorum cleri expenſis monuit. And in reſpect of the pains and attendance of the proctors appearing in this convocation, it is now ordered and decreed, that every prelate, and others of the clergy appearing by proctor now preſent in the ſame, ſhall well and truly anſwer, ſatisfy and pay to his ſaid proctor for every pound that he or they may yearly diſpend, by reaſon of their ſeveral livings and promotions within this province of York (all vicars excepted) two pence, and the ſaid vicars a penny, and no

more. And for the true and certain value of all the ſame promotions and every of them, whereof the payment of this ſalary to the ſaid proctors ſhall be made, the rate, taxation, and valuation now remaining of record in her majeſty's court of Exchequer for the payment of firſt fruits and tenths to her majeſty ſhall only be followed and obſerved. Deinde breve regium dat. apud Weſtm. 25. die Aprilis, anno regni XXIII. ſynodum hanc ad 30. diem Maii prox. futur. apud eccleſiam metropoliticaſ S. Petri Ebor. vel alibi continuavit.

Archiepisc. Cant.
JOH. WHITGIFT I.

Anno Christi
1583.

Reg. Angliae
ELIZAB. 25.

The archbishop's letter with articles for good order in churches. Reg. I. Whitgift
fol. 90. b.

AFTER my hartie commendations unto your lordship. Where of late, by the advice as well of your lordship, as certayne others of my brethren the bushops of my province, I have set down certayne articles for good orders to be observed in the church of England, the true copy thereof I have sent herewith unto your lordship; wherunto it hath pleased her majestie of her princely clemency to yeald her most gracious consent and allowance, to the intent the said articles may take the better effect throughout my province; I have thought good to pray and require your lordship, that with such convenient speed as you may, you transmitt a true copy of the said articles, together with the tenor of thes my letters, to every one of my brethren, the bishopes of my province; willing and requiring them, and every of them, with such care and diligence, as appertayneth, to cause the same articles effectually to be put in execution in every of their severall diocesses and jurisdictions. And because I am desirous to know the state of the clergy of my province, that I may be the better furnished to governe the same, I have thought good to pray your lordship, to send unto me a cataloge of the names of all the ecclesiasticall persons within your diocess, with signification of their benefices, promotions, degrees of schole, and of the conformitie of every of them to the lawes and orders, anie way established by her majestie, and to require my brethren to do the like in their severall diocesses, and to certifie your lordship as well thereof, as also how these articles are put in due execution, that I thereupon may receive certificate of all from your lord-

ship. And so I commend your lordship to the grace of God. From my house at Lambeth this 19th of October, M.D.LXXXIII.

First, That every minister in his cure, the first Sunday of every month, give warning openly in the church, to such as be of his parish, of what state soever they be, to repayre to their parish church in such sorte, as by the lawes of this realm is appointed, upon pain to be presented for the same.

Item, That the ministers and churchwardens of all parishes do diligently from tyme to tyme observe, what they are that come not to the church accordingly, but forbear the same by the space of a month, contrary to a statute made in the last session of the Parliament.

Item, That the said ministers and churchwardens doe, under their handes and seales, present to the ordinarie, or to some such as he shall assigne, what they are that do otherwise, and this to be done every quarter, videlicet, fourteen days before each session and assises, that the ordinary upon such certificat may offer the same to the justices at the said assises and sessions, that the parties may be there indyted according to the statute.

Item, If the ordinarie shall perceave that either by slackness of the justices, or waywardnes of juries, they cannott be endyted according to the statute, that then the ordinary shall convent the said persons offending, and if they shall refuse to conform themselves, to denounce them excommunicated, and if they stand in the excommunication by the space of forty dayes, to procure the writt "De excommunicato capiendó" against them.

Archiepisc. Cant.
JOH. WHITGIFT I.

Anno Christi
1583.

Reg. Angliae
ELIZAB. 26.

Archbishop's letter to the bishop of London about the same. Ibid. fol. 91. a.

AFTER my very hartie commendations to your good lordship. I have herein sent to your good lordship inclosed the copy of such articles as the lords; and others of the quenes majesties most honorable privy counsaile, have lately recommended to me, wherewith I have already made your lordship, and some others of my brethren acquainted, that were conveniently to be hadd, and to be conferred withall, and have thought good to pray your good lordship, with all convenient speede, to sende copies thereof to all the bishopes of this province, and to require them, in my name, by your severall letters missive, to make diligent inquisition of every such of the said articles, whose nature doth so require, and to certifie me speedily the truth, and what they shall find in every of them, and see the two last articles for commutation of penance, and setting up of the table for the fees, being ra-

ther executive then inquirable, to be carefully put in execution within their severall charge; not doubtinge, but that your good lordship alsoe, within your own dioces, will inquire, execute, and make certificat to me, as it doth appertayne, and before this tyme. I hartelie committ your lordship to the grace and direction of the Holie Ghoste. From Lambeth this 12th of December M.D.LXXXIII.

First, A general examination to be taken by the bishop in his province, of all the schoolmasters, as well public as private, with order that such as be unsound may be removed, according to the statute in that behalf provided.

Secondly, Inquiry to be made how the children of the recusants be brought up, and how many within their severall diocesses, as well recusants as others, have their children beyond the seas.

Thirdly, What number of prechers each bishop

bishop hath within his diocese, and how many of them resident.

Fourthlie, What lyvings there are within their said dioceses fit for preachers, and whose gyfte, and how nowe furnished.

Fifthlie, What ministers have been made by the bishops in the said province, since the thirteenth of her majesties reigne; and whether they have been qualified, as is prescribed by the statutes.

Sixthly, That such as are found to be insufficient, and of scandalouse life, to be removed, and care hereafter to be used, that none of the like insufficiency be made.

Seventhly, That such pluralistes as are preachers, and have lyvings in the infected countreys, may be ordered to reside upon the same for a

season.

That his lordship, upon conference with some learned in the civil law, set down, and put in practise some way to redress the abuses of excommunication for light causes, according as was moved in the last parliament.

That his lordship likewise take order for reformation of abuses in the commutations of penance.

Last of all, That the excessive charges in visitations, both of bishops and archdeacons, may be abated, and such fees only, as by law and reason are due, to be set downe in a table to be hanged up in every church, wherein the severall archdeacon and judicial courts are in every diocese, to the end that men may know, what they ought to paye, and no greater fees to be either enacted, or payed by any.

Archiepisc. Cant.
JOH. WHITGIFT I.

Anno Christi
1583.

Reg. Angliae
ELIZAB. 26.

Archiepiscopi Cantuar. commissio suffraganeo Dovor. Reg. J. Whitgift fol. 91. b.

JOHANNES, divina providentia Cant. archiepiscopus, totius Angliae primas et metropolitanus, dilecto nobis in Christo venerabili confratri nostro Richardo Rogers, episcopo suffraganeo sedis Dovor. nostrae Cant. dioeceseos, salutem et fraternam in Domino charitatem. Ad catechisand. et confirmand. pueros quorumcunque subditor. utriusque sexus nostrae dioec. et provinciae Cant. ac jurisdictionum peculiarium, et immediatarum nostrarum, et ecclesiae nostrae cathedralis et metropolitanae Christi Cant. juxta morem et ritum modernos ecclesiae Anglicanae, in ea parte pie et salubriter edit. et ordinat. necnon sacros diaconatus, presbyteratus ordines, quibuscunque subditis nostrae dioec. provinciae Cant. et aliis personis, literas dimissorias suorum dioecesanorum, et titulos sufficientes exhibentibus, si eos habiles et idoneos tam moribus et aetate, quam etiam literatura inveniatis, super quibus conscientiam tuam coram altissimo oneramus, nullumque aliud legitimum eis in ea parte obsistat impedimentum, juxta et secundum morem et ritum ecclesiae Anglicanae, in ea parte pie et salubriter ordinat. et sancitum conferend. ipsosque et eorum quemlibet, ad hujusmodi sacros ordines admittend. et promovend. caeteraque omnia et singula alia ad officium pontificale in praemissis, vel aliquo praemissorum spectant. et pertinent. et quae in ea parte necessaria fuerint, seu quomodolibet requisita, fraternitati vestrae vices nostras committimus et plenam in Domino tenore praesentium concedimus facultatem. In cujus rei testimonium sigillum praesentibus apponi fecimus. Dat. in manerio nostro de Lambeth undecimo die mensis Decembris, anno Domini M.D.LXXXIII. et nostrae translationis anno primo.

Articles to be enquired of in the visitation of the most reverend father in God the archbishop of Cant. primate of all England, and metropolitan, within the diocese of Bath and Wells.

I. Whether that every Sunday and holiday, openly in the church, your parson, vicar, or

curat do caule for, heare, and instructe all the children, apprentices, and servants, of both sexes, that be of convenient age, within the parish, or att the least, to many of them by course as the time will serve, and as he may well heare and instructe, for half an hour at the least before, or at evening prayer, in the Ten commandments, the articles of the Belief, and the Lord's prayer, and diligentlie examine, and teach them the catechisme, as it is now allowed and set forth; and whether for that purpose he doth take the names of them all, and by course call certeyne of them by name every Sunday and holyday to come to the teaching of the same catechisme?

II. Whether any do preach, declare, or speake any thing in derogation of the book of common prayer, which is set forth in the laws of this realm, dispraying the same, or any thing therein conteynid?

III. Whether your parson, vicar, curate, minister, or reader do church anie unmarried woman, which hath been gotten with child out of lawfull marriage, and say for her the form of thanksgiving of women after child birth; except such an unmarried woman have either before her child birth donne due penance for her fault, to the satisfaction of the congregation, or at her comyng to geve thanks, do openlie acknowledge her faulte before the congregation, at the appointment of the minister, according to order prescribed to the minister by the ordinarie or his deputy: the same churching to be had alwaies upon some Sunday or holyday, and upon none other day?

IV. Whether any of your parsons, vicars, curates, or ministers or any other preist, or layman, or woman do wilfully maintain, or defend any heresies, false opinions, or popish errors, contrary to the lawes of almighty God, and true doctrine, by publique authoritie in this realme now set forth, and what be ther names; and whether any kepe anie secret conventicles, preachings, lectures, or reading, contrarie to the lawes, and what be ther names?

V. Whether

V. Whether ther be any in your parish, that openly or privately say masse, or any other kinde of service or prayer, than is set forth by the lawes of this realme?

VI. Whether any popish prist either going as prist, or disguised in other apparell, or altering ther names for any cause, or any other, or runnagate persons, mislikers, or depravers of true religion, that do not minister or frequent commen prayer nowe used, nor communicate at tymes appointed by the lawes, do resort secretly or openly into your parish, and to whom, and of whom be they received, harbored and releived, and what be ther names and surnames, or by what names are they cauled?

VII. Whether your parsons, or vicars, be resident, and dwell continually upon ther benifits doing ther duties in preaching, reading, and ministring the sacraments, and whether theie kepe hospitality, according as ther livinges will extend, and whether ther howses and chancells be well repayred, and upholden?

VIII. Whether they, or any of them have moe benefices than one, how many, and in what countries they be, and what be the names thereof?

IX. Whether they, or any of them kepe any suspected woman in ther howses or be incontinent persons, given to drunkenness, idleness, or be haunters of taverns, dicers, carders, tablers, swearers, or otherwise suspected of any notoriousse crime, or give any evill example of life and whether they (as they ought to do) occupie themselves in the reading, or hearing of some part of the holy scripture, or other good author, or in some other godly or laudable exercise meet for ther vocations?

X. Whether they, or any of them, do kepe, or suffer to be kept in their parsonages, or vicarage-houses, any alehouses, tipling houses, or taverns, or do sell ale, beare, wine, or anie victuall?

XI. Whether your parsons, or vicars have bought ther benefices, or come to them by symonie, fraude, deceipte, or by any colorable parte, or other unlawful meanes whatsoever, or be vehemently suspected, or defamed thereof and whether theie keepe in their own handes, or have demised, and let to farme ther parsonages, and vicarages, or ther glebe landes, or tithes, or anie part thereof, and whether anie such lease be made for the performance of any symonical parte, made directly, or indirectly, betwene the incumbent and patrone, or betwene the incumbent and any other person, for the presenting of the same incumbent to that benefice?

XII. Whether ther be any man or woman in your parish, that resorteth to any popish priest for shrift or auricular confession, or any that, within three years nowe last past, hath been reconciled unto the pope, or to the church of Rome, or any that is reputed or suspected so to be; and whether ther be any that refuse to come to the church to hear divine service, or to communicate according to the order now established by publick authoritie, and what be ther names?

XIII. Whether for the putting of the church-

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wardens and swornmen in the better remembrance of their dutie, in observing and noting such as offend in not coming to divine service, your minister or reader do, openlie every Sunday, after he have read the second lesson, at morning and evening prayer, monishe and warn the churchwardens and swornmen to look to ther charge in this behalf, and to observe who, contrarie to the said statute, offend in absenting themselves negligentlie, or willinglie from your parish church or chappell, or unreverentlie (as is aforesaid) use themselves in the tyme of divine service?

XIV. Whether your hospitalls, spittelles, and and almeshouses be wel and godlie used according to the foundation, and auntient ordinances of the same; whether ther be any other placed in them then poor, impotent, and nedie persons, that have not wherewith or whereby to live?

XV. Whether the schoolmasters, which teach within your parish, either openlie or privelie, in any noble or gentleman's house, or in any other place ther, be of good and sincere religion and conversation, and be diligent in teaching and bringing up of youth; whether they be examined, allowed, and licensed by the ordinarie, or his officer in that behalf; whether they teach the grammer set forth by king Henry the eight, of noble memorie, and none other; whether they teach any thing contrarie to the order of religion, now established by publique authoritie; and whether they teach not their schollers the catechisme in Latin, lately set forth, and such sentences of scripture, as shall be most expedient and meete to move them to the love and due obedience and reverence of God's trew religion, now trewlie set forth by the quenes majesties authoritie, and to induce them to all godlinesse and other honest conversation, and what be ther names, and surnames of all such schole-masters and teachers of youth, within your parish, aswell of such as teach publicuelie, as those that teach in the howses of noblemen, gentlemen, or other private men?

XVI. Whether ther be any in these partes, that have married within the degrees of affinity or consanguinity, by the lawes of God forbidden, to set out for an admonition, in a table appointed to be fixed in every parish church within the diocess; or anie that being divorced or separatid for the same, do yet notwithstanding cohabit and keep companie still together; or any that being married without those degrees, have unlawfully forsaken their wives or husbands, and married others; any man that hath two wives, or any woman that hath two husbands, anie that being divorced or separated asunder have married again?

XVII. Howmany adulteries, incests, and fornications are notoriously known to have been committed in your parish sithense Easter, M.D.LXXX.howmany offenders in any such faultes have bin put to open penance, and publickly corrected; and how many have been winked at and borne withal, or have fined, or payed money to the archdeacon, chancellor, commissarie,

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offi-

official, or other deputies, or to the deans, registers, or somners, or any of them, for to escape open punishment and correction, and what their names and surnames be?

Whereas lately ther have byn sent unto you certayne articles, devised by the queenes most honourable privy counsaile, and sent and recommended to the said archbishop of Cant. to be published, and put in execution through his hole province, you shall enquire and certifie, how the same have been and are executed, and satisfied within that diocese; and also you shall procure the like enquiry to be made of the execution of certeyne articles, lately sent unto you from the said archbishop himself, and make trew certificate after the end of this visitation how the same be also executed within the said diocese.

That from henceforth ther be noe commutation of penance, but in rare respects, and up-

pon great considerations, and when it shall appere to the bishop himself that that shal be the best way for the winning and reforming of the offender and that the penalty be employed either to the releif of the poor of that parish, or to some other godlie use, and the same well witnessed and made manifest to the congregation; and if the fault be notoriouse, that the offender make some satisfaction either in his own person, with declaration of his repentance openlie in the church, or else that the minister of the church, openlie in the pulpit signifie to the people his submission, and declaration of his repentance done before the ordinarie, and also in token of his repentance with portion of money he hath geiven to be employed to the uses abovementioned.

Provided, That whosoever offendeth against this order shall be suspended ab executione officii for one half yere.

Archiepisc Cant.
JOH. WHITGIFT 2.

Anno Christi
1584.

Reg. Angliae
ELIZAB. 27.

*Convocatio praelatorum et cleri provinciae Cantuar. in ecclesia S. Pauli London. die 24. Novembris inchoata**. Ex actis convoc. in MS. Miles Smith apud episc. Aflaven.

PER ACTIS sacris in ecclesia S. P. London. ad domum capitularem processio fit, ubi in prima hujus synodi sessione certificatorium executionis mandati archiepiscopalis pro convocando clero exhibetur ab episcopo London. Deinde prolocutor jussu metropolitani eligitur, ac vicarius generalis, doctor Awbrey, commissionem ab archiepiscopo recipit ad examinanda certificatoria episcoporum de summonitione cleri, ad inspicienda procuratoria et ad admittendas vel rejiciendas causas absentiae. Postea omnes non comparentes contumaces pronunciat, ac synodum ad ecclesiam B. Petri Westmon. prorogat. Et postquam archidiaconus Cantuar. certificatorium suum exhibuisset, primae sessioni finis imponitur.

Secunda sessio fuit 2. die Decemb. in ecclesia B. Petri Westm. Ubi decanus privilegia et exemptiones ecclesiae suae exponens, archiepiscopo jus in eadem conveniendi denegavit; archiepiscopus autem se nullo modo libertates ejus infringere velle protestatus, prolocutorem a domo inferiore sibi praesentatum admittit, ac clerum de reformandis abusibus et concedendo subsidio monet.

In tertia sessione (4. die Dec.) plura de subsidio aguntur, et commissio quinque episcopis et vicario generali doctori Dunne, ac Redmanno, archidiacono Cant. ab archiepiscopo datur de proroganda convocatione suo nomine, de die in diem.

In quarta, quinta, et sexta sessione nihil praeter subsidium tractatur; quod septima sessione (16. die Dec.) conceditur, sc. sex solidorum in triennio solvendum.

Quid in octava et nona sessione tractatum fuerit, accipe ex Strypii vita J. Whitgift. arch. Cant. p. 210.

In the eighth session 18. December at Westminster one John Hilton, clerk, that had been imprisoned by the high commission for errors, heresies, and great blasphemies, was ordered to be convented before them the next session. And likewise one Thomas Shoveler was appointed to be convented on another day, who was also under confinement for exercising the ministerial office, not being in holy orders. The ninth session being December 22. Hilton appeared, and confessed his accusation saying, "That he had said in a sermon at St. Martins in the fields "that the Old and New Testaments are but fables: that himself was no christian, but a heathen; and further had blasphemed Christ most horribly." This acknowledgment and abjuration he gave in writing, subscribing his name thereunto.

His errors, which he called his heresies, blasphemies, and damnable opinions were these, as his confession and renunciation shews, "That in the Trinity were not three distinct persons and one Godhead coequal. That Jesus Christ was not God and man. That he was not of the substance of God the Father in his humanity and incarnation, nor for our redemption very God and very man; nor that by his death we have full redemption and remission of our sins in his blood, but only made partakers of his testament, and so brought to the knowledge of his godly will. He further confessed, that he had most detestably and blasphemously af-

* Epitomen negotiorum synodi provinciae Cantuar. ab anno M.D.LXXXVI. ad M.DC.XXVIII. manu magistri Fisherii actuarii et scribae conscriptam, e flammis eripuit Miles Smith, notarius publicus archiepiscopo Cantuar. Gilberto Sheldon ab epistolis, ex cujus autographo in bibliotheca reverendi dom. Thomae, episcopi Aflavenis, extante, quae ad rem nostram faciunt descriptimus.

firmed,

firmed, that the Old and New Testaments were fables. But that now he was sorry for that abominable and damnable assertion; and that he now believed the same Testaments to contain all truths necessary to salvation.

His abjuration he began in this form. "In Dei nomine, Amen. Before the most reverend father in God John, archbishop of Canterbury, primate and metropolitan of all England, and you the reverend fathers in God the bishops of this your province of Canterbury here congregated and assembled together in this holy synod and convocation, I John Hilton, priest, of my pure heart and free will, etc. acknowledge and confess, and openly recognize," etc. After this abjuration the convocation enjoined him a penance, which was, that he should hold no more

nor teach such heresies and blasphemies. That he should attend at Paul's cross, upon the preacher the next Sunday, and stand before him with a faggot on his shoulder: and that he should recant his heresies in the church of St. Martins in the fields, at a sermon to be made by Dr. Cotton to the lower house of convocation present; and that he should not preach at all, nor exercise the ministry, unless he were specially thereunto licenced by the archbishop." Haec ille.

In reliquis decem hujus synodi sessionibus hoc anno habitis, nihil fere actum fuit, nisi quod articuli nonnulli ab archiepiscopo prolocutori traditi, examen utriusque domus convocationis subierint: qui prima sessione anni seq. 31. die Martii stabiliti ac regia auctoritate confirmati sunt.

Archiepisc. Cant.
JOH. WHITGIFT 2.

Anno Christi
1584.

Reg. Angliae
ELIZAB. 27.

Articles touching preachers and other orders for the church. Reg. I. Whitgift fol. 97. a.

I. **T**HAT the laws late made against the recusants be put in more due execution, considering the benefit that hath grown unto the church thereby, where they have been so executed, and the encouragement which they and others do receive by remission executing thereof.

II. That all preaching, reading, catechisme, and other such like exercises in private places and families, wherunto others do resort, being not of the same family, be utterly inhibited, seeing the same was never permitted as lawful, under any christian magistrate; but is a manifest sign of schisme, and a cause of contention in the church.

III. That none be permitted to preach, read, or catechise in the church or elsewhere, unless he do, four times in the year at the least, say service, and minister the sacraments, according to the book of common prayer.

IV. That all preachers, and others in ecclesiastical orders, do at all times wear, and use such kynde of apparel, as is prescribed unto them by the book of advertisements, and her majesty's injunctions "anno primo."

V. That none be permitted to preach, or interpret the scriptures, unless he be a priest, or deacon at the least, admitted therunto according to the laws of this realme.

VI. That none be permitted to preach, read catechise, minister the sacraments, or to execute any other ecclesiasticall function, by what authority soever he be admitted therunto, unless he consent and subscribe to these articles following, before the ordinary of the diocese, wherein he preacheth, readeth, catechiseth, or ministrereth the sacraments, videlicet.

[I.] That her majestie, under God, hath, and ought to have the soveraigntie and rule over all manner of persons born within her realmes, dominions, and countries, of what estate, either ecclesiastical, or temporal soever they be; and that no foreign power, prelate, state, or

potentate hath or ought to have any jurisdiction, power, superioritie, preeminence, or authoritie ecclesiastical or spiritual, within her majesties said realmes, dominions, and countries.

[II.] That the book of common prayer, and of ordering bishopps, prestes, and deacons, conteyneth nothing in it contrary to the word of God, and that the same may lawfully be used, and that he himself will use the forme of the said book prescribed in public prayer, and administration of the sacraments; and none other.

[III.] That he alloweth the book of articles of religion, agreed upon by the archbishops and bishops of both provinces, and the whole clergy in the convocation holden at London in the yere of our Lord God M.D.LXII. and set forth by her majesties authority, and that he believeth all the articles therein conteyned to be agreeable to the word of God.

VII. That from henceforth, none be admitted to any orders ecclesiastical, unless he do then presentlie shew to the bishop a trew presentation of himself to a benefice then void within the diocese or jurisdiction of the said bishop, or unless he shew unto the same bishop a trew certificate, where presently he may be placed to serve some cure within the same diocese, or jurisdiction, or unless he be placed in some cathedral or collegiate church, or colledge in Cambridge or Oxford, or unless the said bishop shall then forthwith place him in some vacant benefice or cure.

VIII. And that no bishop henceforth do admitt any into orders, but such as shal be of his own diocese, unless he be of one of the universities, or bring his lettres dimissories from the bishop of the diocese, and be of age full twenty four years, and a graduate of the university, or at the least able in the Latin tongue to yealde an accompte of his faith, according to the articles of religion agreed upon in convocation, and that in such sorte, as that he can

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note the sentences of scripture, wherupon the truth of the said articles is grounded, and bring a sufficient testimonial with him of his honest life and conversation, either under the seal of some colledge in the universities, where he hath remayned, or from some justice of the peace, with other honest men of that parish, where he hath made his abode for three yeares before; and that the busshop, which shall admitt any into orders, being not in this manner qualified, be by the archbishop, with the assistance of some one other bishop, suspended from admitting any into orders for the space of two yeares.

IX. And that no busshop institute any into a benefice, but such as be of the habilitie before prescribed; and if the arches by double quarrell or otherwise proceade against the said busshop, for refusal of such as be not of that habilitie, that the archbusshop of Cant. either by his own authoritie, or by meanes procured from her majestie, may stay such proces, that the endeavor of the byshop may take place.

X. That one kinde of translation of the Bible be only used in public service, as well in churches as chappells, and that to be the same which is now authorized by the consent of the busshops.

XI. That from henceforth ther be no commutation of penance, but in rare respectes, and upon great consideration, and when it shall appear to the busshop himself, that that shall be the best way for wyning and reforming of the offender, and that the penalty be employed either to the relief of the poor of that parish, or to other godly uses, and the same well witnessed and made manifest to the congregation; and yet if the fault be notorious, that the offender make some satisfaction either in his own per-

son with declarations of his repentance openlie in the church, or else that the minister of the church openlie in the pulpitt signifie to his people his submission and declaration of his repentance done before the ordinarie, and also in token of his repentance what portion of mohe hath given to be employed to the uses above named.

As persons of honest, worshipfull, and honorable calling may necessarilie and reasonable have occasions sometimes to solemnize marriage by licence for the banns asking or for once or twice without any great harm; so for avoiding generallie of inconveniences noted in this behalf, yt is thought expediente, that no dispensations be graunted for marriage without bannes, but under sufficient and large bondes, with these conditions following.

First, That there shall not afterwards appear any lawfull let or impediment by reason of any precontract, consanguinitie, affinitie, or any other lawfull meanes whatsoever.

Secondly, That ther be not at that presente tyme of grauntinge such dispensation any suite, pleinte, querele, or demand moved or depending before any judge ecclesiastical or temporal for and concerning any such lawful impediment betwene such the parties. And

Thirdly, They proceed not to the solemnization of the marriage without the consent of parents or governors.

Lastly, That the marriage be openly solemnized in the church. The copy of which bond is to be set down and given in charge for every busshop in his diocese to follow; provided that whosoever offendeth against this order, be suspended ab executione officii for one half yeare.

Archiepsc. Cant.
JOH. WHITGIFT 2.

Anno Christii
1584.

Reg. Angliae
ELIZAB. 27.

The clergy's petition in convocation to queen Elizabeth, that the bill against pluralities pass not. Ex MS. Cott. Cleop. F. II. fol. 255. b.

To the queen's most excellent majesty.

IN most humble wise complaining, do shew unto your most excellent majesty your poor distressed supplicants, the whole clergy, that some in the lower house of parliament have proposed often, and with all eagernes do promote divers bills against them; and namely one entituled "A bill against pluralities and nonresidency," which indeed impeacheth your majesty's prerogative royal; impaireth the revenue of the crown; overthroweth the study of divinity in both universities; depriveth men of the livings they do lawfully possess; beggareth the clergy; bringeth in a base and unlearned ministry; taketh away all hopes of a succession in learning; will breed great discontentment in the younger sorts of students, and make them fly to other seminaries, where they may hope for more encouragement; will give the adversary just cause to rejoice and triumph, when they shall see the

clergy and learning generally so much disgraced and vilified by the gentry and commons of this land; abridgeth all ability in the ministry either of keeping hospitality, or of contributing to the state in case of necessity; and that, which is most lamentable, maketh way to an anarchy and confusion.

Great are the indignities, the injuries, the absurdities of this bill, if with religious wisdom the effects of it be truly considered; but as great is the hypocrisy of the same, for it doth not reform the things which it pretendeth to redress; it permitteth them and encreaseth them rather. The only thing it doth principally intend is, the impoverishing and embasing of the clergy; whereupon will ensue the utter contempt both of their persons and their doctrine.

All which we are ready, with your highness's favour and licence, to justify before any competent judge, if we be permitted an indifferent hearing

hearing. In the mean time and always most humbly committing our poor estate to your majesty's most gracious and princely clemency (on which next under the goodness of almighty God it doth wholly depend) we do in all submission both in respect of our selves, and especially in regard of our successors, most instantly pray such speedy remedy in this behalf, as to your most

excellent wisdom, and wonted godly care of religion shall seem fit; and that the rather, because it would leave a perpetual blemish upon the time of your highness's government, if there should appear to be such a hatred of the clergy and of learning in this land, as that such an act of parliament should be now established.

Archiepisc. Cant.
JOH. WHITGIFT 2.

Anno Christi
1584.

Reg. Angliae
ELIZAB. 27.

A writing of the bishops in answer to the book of articles offered the last sessions of parliament, anno regin. xxvii. for ecclesiastical causes, concerning ministers, excommunication, dispensations, etc. Strype's annals vol. III. app. p. 81.

I. Concerning ministers.

The first article.

THAT it may be enacted, that none be admitted to be minister of the word and sacraments, but in a benefice having cure of souls, then vacant in the diocese of such a bishop as is to admit him.

Answer to the first article.

This cannot possibly be performed without altering the whole state of the church of England. First because there must be curates, and that of necessity. Secondly, Because there are other ecclesiastical livings, which require ministers of the word and sacraments, as well as benefices with cure; as deanries, prebends, masterships, and fellowships in the universities, and petty canons in cathedral churches.

The article is grounded upon a false principle of T. C. (Thomas Cartwright) against ministers having no pastoral cure. Which neither he, nor any man else is able to maintain either by the word of God, or ancient authority. For by "Ministerium vagum," the old councils and canons did always understand such as were ordained "Sine patrimonio aut titulo:" that is, not having any stay of living. As 'tis manifest in the council of Chalcedon.

Such as have great cures shall be overburthened with saying of service, preaching, ministering of sacraments, all themselves. For they shall be destitute of a curate to help them to say service, to visit the sick, to administer the sacraments, to catechise, etc. by this means fellowships in colleges, which by their statutes must be in orders, are overthrown.

The second article.

That before the admission of such minister, the bishop give public notice by writing under his seal, to be fixed on the church door, that is destitute of a pastor, upon some Sunday or holyday in the time of divine service, signifying the name of the person presented to that church, or there to be admitted; with intimation that such as within twenty six days after, will object against the admission, shall appear at a place certain before him, and alledge such matter, as shall only concern his conversation of

life, and thereby his insufficiency for that place.

The third article.

That the bishop shall not proceed to the admission of any to be minister of the word and sacraments, before due certificate made in authentic form, and public place, by him to be assigned, that the process of notice and intimation was executed in form aforesaid; nor before the expiration of the said twenty six days, nor without calling for and hearing of such, as upon return of the said process, shall and will object, as aforesaid.

The answer to the second and third articles.

This is unnecessary and in vain, unless he that is to be admitted, had been dwelling in that parish before. Which will happen very seldom. The writing and sending to the benefice void; and the return thereof in authentic form, will be very chargeable to the minister; especially where the place is far from the bishop's mansion house. It also protracteth time, and will administer occasion of quarrelling.

The charges also and delay will be increased, if the party to be admitted, do stand upon the purgation of the objections laid against him.

This testimony required of the parishioners, lacking their pastors, is an introduction to bring the patronage to the people, and to set a fire among them, for testifying or not testifying; and that many times of a person they know not.

The objecting of the people will fall out many times to be mere malice, whereby immortal hatred will rise among them.

The person indeed had need be a very ill man, that a number of the parish will come a long journey to the ordinary, on their own costs, to object against him that is to be admitted.

What, if the parish will be negligent and will not return? shall they lack a pastor still? the patron, if he be mighty, may enter; lett the return, or procure such as he shall like of. And who and how many of the parish shall return?

The fourth article.

It is here to be provided, that where in certain colleges, and cathedral and collegiate churches

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churches the foundation or statute require such as are there placed, to be ministers; it shall be lawful for such as are known to profess the study of divinity, or otherwise be lawfully dispensed withal, to retain, as before this act they might, any fellowship or prebend within the said colleges, notwithstanding they be no ministers.

The answer to the fourth article.

I. This utterly overthroweth the foundation and statutes of almost all the colleges in Cambridge and Oxford, being founded principally for the study of divinity, and encrease of the number of learned preachers and ministers. And therefore, not only the master, provost, warden, president, etc. by the said foundation and statutes are bounden to be ministers, but divers others also of such societies are likewise bounden to enter into the ministry by a certain time, or else to yield their places to others.

II. It will deprive the church of England of the worthiest, best learned, and wisest ministers and preachers. For there is no comparison between such ministers and preachers, as the universities continually yield, in respect of such foundations and statutes, and others, being no university men, or not entering into the ministry, while they remained there; as at this day it is notorious. For altho' there are divers that can preach, etc. yet they have no substance of learning in them, neither are they able to stand with the adversary, either in pulpit or disputation: a thing as well required in a minister as exhortation is.

III. If this device take place, where the universities yield now great number of preachers and ministers, they would not then yield one for twenty. And so the number of preachers, which now are thought to be very few, would then be much less; and at length the utter decay of the study of divinity, and the very next way to bring in popery and ignorance again.

IV. It overthroweth the degrees of the university, which are taken in divinity; as the bachelorship and doctorship. For even since the first foundation of them both, it hath been perpetually used, and it is by statute required, that none should take any of these degrees, but such as are in the ministry. And indeed it is both inconvenient and absurd that it should be otherwise.

V. At this day, there are in the university of Cambridge an hundred preachers at the least, very worthy men, and not many less in the university of Oxford: and the number daily encreaseth in both, to the great benefit of the church. But if this might take place, within these seven years, there would not be five ministers in either of them.

VI. It would cause men all their life time to remain in the universities; so that there should be no succession.

VII. It also overthroweth the foundation and statutes of all cathedral and collegiate churches; and taketh away the chief and principal

reward for learned preachers: for the best livings for worthy men are in such churches.

VIII. It taketh away the wisest, best learned, and gravest divines, such as do and are most able to withstand not only papists, but other sectaries also.

IX. Every one to keep these places would openly profess the study of divinity, and secretly study the one law or the other, or physic, or some trifling study all his life long.

X. There will be no care of profiting when there is no trial thereof, which is most special by open preaching: which were absurd to be done by no ministers.

XI. Any which hath been a student, may under pretence of studying divinity, without any trial obtain deanries, provostships, prebends, etc. and being a layman, may live idly on the spoil of the church all his life, except he taught a benefice.

XII. There shall want sufficient trial of the abilities of preaching of such as are to be bishops, except they be chosen from some benefice: which breedeth small experience for governance.

XIII. It would greatly diminish the number of preachers and sermons; which the universities, colleges, and cathedral churches do yield both at home and abroad in every country; in the respect that those, which now have the livings, are bound to be ministers.

XIV. It taketh away daily service used in these churches (which were impiety) unless it might be said or sung by such as are now ministers: which is absurd.

XV. To conclude, it will breed a beggarly, unlearned, and contemptible clergy and ministry. It is the very way to overthrow all colleges, cathedral churches, and places of learning. It will extinguish the study of divinity; diminish the number of preachers, and breed a great confusion and alteration in the church and commonwealth. And it is a piece of T. C. his platform.

XVI. By this the reward of divinity will be taken away, and the divine thrust to a benefice of xl.l. This is covertly to shove at the gospel, to place the lawyers and others as they please.

XVII. Note, That hereby they would have dispensations to take place against the statutes of colleges and cathedral churches.

The fifth article.

That none be made minister, but upon some Sunday publickly in the cathedral church of the diocese, where the minister is admitted.

The answer.

That he be made public, it is not amiss; but to observe the precise place of the cathedral church, it will be inconvenient; because divers bishops dwell far from their cathedral churches.

The sixth article.

That the bishop make no minister but such as be of his own diocese, and have there continued

tinued by the space of one whole year; except such only as come from the universities, and bring testimonials of their meetness under the university seal.

The seventh article.

That such as be of the bishop's own diocese, shall bring with them such a testimonial as is limited in the statute of anno xiii. Elizab.

The answer.

I. These are very expedient and necessary, and even so provided for by the law.

II. It were more meet also, that these things were observed, when patrons present to a benefice: and that as the testimonials do witness their conversation, so the bishop should without any impeachment of "Quare impedit," etc. be judge of their ability in respect of the cure which they desire.

The eighth article.

That after the receipt of the said testimonial, the bishop shall not proceed to the making of his person minister, which bringeth that testimonial, before he shall declare before the dean and chapter of the cathedral church, that he well knoweth the persons, by whom the testimonial is made, to be such as is by the said statute expressed.

The answer.

This is unnecessary and altogether needless, neither can it be performed.

The ninth article.

That he shall not make any minister but such as shall be by the dean and chapter, or the more part of them, or six learned preachers of the diocese then present, allowed for a man meet and sufficient, by subscription of their hands to some writing, declaring their assent, in allowing of him.

The answer.

I. It will breed great trouble, and not work that effect which is looked for; neither can it by all in place be performed.

II. It would also be very chargeable, upon the absence of the most of the chapter, if the party should procure the hands of six preachers, dwelling in dispersed places.

The tenth article.

That none shall have a benefice with cure, being of the value of xx.l. yearly in the queen's books, except he be a master of arts, or a preacher allowed, notwithstanding that he be made a minister before of some mean cure.

The answer.

It is to be liked of; so that diligent heed be taken that none be admitted preachers, but such as be worthy.

II. *Concerning excommunication.*

The first article.

Excommunication is at this time the pain of contumacy, and hath place where a man appeareth not upon a process, or satisfieth not some order prescribed by the judge, as not taking some oath, or not paying legacies, tithes, etc.

The second article.

The offences that grow by the practice hereof in this manner, are great. One, that being the highest censure left by the church of God, it is profaned by applying it to temporal and civil causes. Another, that it is executed by men that have no calling in the church, as chancellors, officials, etc.

Again, forasmuch as the church may not be left without this censure of excommunication, it is to be provided, that for enormous crimes, as adultery, and such other, the same be executed either by the bishops themselves, with the assistance of grave persons, or else by other persons of calling in the church, with the like assistance, and not by chancellors and officials, as hath been used.

The answer.

Excommunication hath been used by the ecclesiastical judge, ever since there hath been either discipline in the church, or jurisdiction in the ecclesiastical magistrate, and is the only punishment thereof: for the ancient lawmakers, thinking that blood and bodily pains ought to be far from ecclesiastical magistrates, have given them this mild spiritual sword, to divide that person from the ecclesiastical body, that refuseth to do his ecclesiastical duties, and to obey the ecclesiastical judge. Not excommunicating every man for twopenny causes, as is furnished (though indeed there be as much in ii. d. as in cc. l.) but in excommunicating them for not obeying the order, decree, and sentence of the judge, according to her majesty's ecclesiastical laws. Even as in a temporal cause of ii. d. the party is outlawed, and consequently his fruits and goods of his lands are at the prince's pleasure, if he appear not, or obey not; and yet it is not to be said, that a man is outlawed for ii. d. but for not obeying the law process, and judge in a twopenny manner. For the smaller the matter is, the greater is the fault of contumacy and disobedience, saith the law.

Excommunication for process, order not obeyed, taking some oath, etc. is not for civil causes; but these causes are ecclesiastical: and what can be more against the church, than when men will not be ordered by it nor obey it? In God's law such as would not be ordered by their judge, or high priest, were stoned.

There is no law nor function in the world void of exception, and imperfection. And to have it void thereof "Est optandum magis, quam sperandum," as in Plato's commonwealth.

If excommunication be either taken away or changed, the whole course of the common law of the realm concerning that matter, and touching the writ "De excommunicato capiendo," must be changed. Wherein many things, not yet thought on, may happen, and instead thereof some convenient temporal penalty must be devised. Which how unliking and unpleasable it will be, and how full of difficulties, the wise can consider.

And if excommunication be thought fittest to continue (for that there will be as many inconveniencies, or more in time found in other things, as in that) and that for the better credit of the proceeding therein, the bishop be arched to sit in consistory, his whole life will be spent in his jurisdiction, and in study of law, that he might be able to discern whether the process be according to law, before he inflicts the censure, which will be as great decay of preaching, as it hath been in fore time. For the jurisdiction alone requireth "totum et integrum hominem."

Touching the execution by men of no calling in the country.

The jurisdiction in the beginning was jointly in the bishop, dean, and chapter. Which bred so many opinions, such impeachments and confusions in proceeding, that by the general custom of the world, generally the jurisdiction was thought convenient to be exercised by the bishop alone, which growing great, as the church and ecclesiastical causes encreased, and consequently calling the bishop from his function, the law and constitutions ordered that the official or vicar general of a bishop or archdeacon, should have the same consistory or jurisdiction, that the archdeacon or bishop had, and the same authority to excommunicate. Which by the statutes of this realm is also allowed to doctors of the law. For that in later times, divines have wholly employed themselves to divinity, and not to the proceedings and study of the law: whereunto in fore times the clergy were more addicted than to divinity, in respect of the gain and offices exercised under bishops, archdeacons, and other ecclesiastical callings, which drew them wholly from divinity.

This excommunication by law was never used, nor could be used as a punishment of any crime, saving of notorious heresy, usury, simony, piracy, conspiracy against the person of the prince, of his state, dignity, or crown, preturbers of the common peace and quietness of the church or realm, wilful murderers, sacrilegers, perjurers, and incorrigible and notorious commiters of incest and adultery, false witness, and suborners thereof, violent layers of hands upon ecclesiastical persons, and such other great and horrible crimes, which were called "sententie canonum." Wherein besides the particular penances, that the bishops and their officers did impose, it was for more terror provided by ancient canons, that there should be a general open denunciation of this excommunication in

every cathedral church and parish church twice in the year.

For other light faults there was no excommunication permitted or used as a punishment, other than for manifest and wilful contumacy or disobedience in not appearing, when persons were called and summoned for a cause ecclesiastical, or when any sentence or decree of the bishop or his officer, being deliberately made, was wilfully disobeyed and not performed.

Such wilful contumacy and disobedience to authority is in the law accounted so great, that it is called a contempt of that "quod est in jure extremum;" that is to say, if the judge cannot have appearance of the parties, or execution of his judgments, here he is at the wall, and can go no further.

Of very ancient time this was the manner of proceeding in this realm, and the only mean of reducing obstinate persons to the obedience of the law.

It may appear by the ancients statute or act of parliament in the 9th year of Edward II. that it was the old custom and usage of the realm, long before that time. The words are these: "Si aliqui propter suam contumaciam manifestam excommunicentur; ac post 40. dies, dies pro eorum captione scribatur, et praetendunt se privilegiatos; et sic denegatur breve regium pro captione corporum? Responsio regis: Nunquam fuit negatum, nec negabitur in futuro."

It is to be considered, whether this manifest contumacy, and wilful disobedience to the magistrate and authority be not as well punishable, when the original cause or matter is as weighty, the difference whereof doth nothing alter the nature of the disobedience.

In this our realm, of very ancient time, it hath been observed from time to time, that there was never alteration made of any law ecclesiastical, although it had appearance to benefit the state of the clergy; but that it turned ever to some notable prejudice.

III. *Concerning commutation of penance.*

That there be no commutation of penance for sin, but by the order and appointment of the bishop, with the assent of the dean and chapter, or the most part of them, or with the assent of six preachers of that diocese.

The answer.

I. The bishop is sufficient for this matter.
II. It were good to inhibit justices of peace, to commute, but to permit them only to punish corporally. And yet notwithstanding the parties offending not to be received into the church, 'till they have done such penance, whereby the congregation may be satisfied.

IV. *Concerning dispensations.*

The first article.

The faculties, which did the greatest hurt in the church of God, were three; viz. dispensation "de non promovendo," dispensation for pluralities of benefices, and dispensation for non-residence.

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The second article.

These two last named faculties, have bred the disorders of making vage ministers, whereof have ensued two great incommodities; one, and the chiefeſt of all, that the people is not taught. The other, that the ministers placed in benefices, where the pastor is absent, and having for the most part small allowance, do poſt from place to place for their better preferment, and reſting no where, reſpect neither their life, nor encrease in knowlege. For men be careful for their converſation, where they are to have continuance. And ſmall account can be taken how he profiteth, that abideth no where long.

The answer.

The faculty "de non reſidendo," is ſo rare, as by the preſent archbiſhop there was never any granted. And by the laſt archbiſhop never any yielded unto, but by ſpecial requeſts and warrant from my lords of her majeſty's council; and that to men qualified in her majeſty's ſervice, or otherwiſe greatly employed in the common wealth. And therefore it needeth no ſuch proviſion by law.

The faculty of non-reſidence is alſo ſo rare, and granted in ſuch reſpects, as ſithence the time of this archbiſhop, there hath not been above one granted, and that to a man of 80 years old; with whom the law itſelf diſpenſeth.

Befide, that the ſtatute of the realm provideth ſo ſharp a penalty for non-reſidence, by the forfeiture of x. l. a month, to be recovered in the exchequer; as no man careth to ſue for the faculty, and if they do, it profiteth nothing. For that the ſtatute inflicteth the puniſhment, all faculties and diſpenſation notwithstanding, and a more ſevere puniſhment cannot well be deviſed.

Touching the faculty of pluralities, the ground thereof is this. Men of excellent gifts, and extraordinary virtue, oftentimes have no livings or very ſmall living. And when they cannot attain ſo great as their quality deſerveth; the policy of the church hath thought fit to grant to ſuch an one two livings, as an extraordinary reward for extraordinary virtue. For if all men could be made fit for all livings; or all livings for all manner of men, there ſhould have needed no diſpenſation of pluralities; but forasmuch as that cannot be, it is lawful in ſuch caſe of neceſſity, and for ſuch extraordinary cauſes to recede from the ſtrait and common courſe of the law. And ſo hath it been uſed in all ages. Neither can it be better policed, nor more reſtrained, than of late it hath been in reſpect both of diſtance of places, and the value of their parſonage, with great caution both for their hoſpitality and preachings. Befides that the laws being poſitive that forbid plurality, the difference in reaſon is very ſmall between the little benefices not far diſtant, and one great benefice. And therefore no ſtrange thing, if by like poſitive law there be admitted by mitigation a diſpenſation of the

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rigor of law.

Moreover, the number of benefices in England being about 18000. and the univerſities not able to furniſh the third part of them with ſufficient men, it is better, that one worthy man have two benefices, than to be unfurniſhed of living, or be obſcurely placed in a ſmall pariſh or poor living; or the ſame benefices committed to two unlearned men.

The third article.

That no chaplain have two cures, if both amount above 40. l. in the queen's books or be 20. miles diſtant.

The fourth article.

That none enabled to have two cures, ſhall enjoy the ſame, unleſs they be under the value aforeſaid, and within 20. miles diſtant; and be reſident upon one of them.

The answer to the third and fourth articles.

I. The diſtance of miles is not to be miſliked, but the limiting of the value is unreaſonable, and tendeth only to the impoveriſhing of the miniſtry, being a ſtate as worthy of living in many reſpects, as others of other callings whatſoever in reſpect of their calling.

II. The beſt gifts deſerve the beſt rewards. And therefore it were better to make a limitation, what degrees of ſchools ſhall only be enabled for the beſt livings.

III. Dignities, prebends, and places in colleges (as before) are required by diſpenſation for laymen. Here the divine is ſet at 40. l. If a man would deal covertly to pull away religion, how could it do better?

The fifth article.

That no dean of cathedral church, prebendary, or other having dignity, ſhall have more than one benefice with cure, beſides his dignity.

The sixth article.

That no one have mo dignities or prebends than two.

The answer to the fifth and sixth articles.

I. It is very unreaſonable, and tendeth to the ſame end with the third and fourth articles, and will diſcourage men from the miniſtry, and make a beggarly clergy; far unapt to give hoſpitality, or to do many other things required of them, and looked for at their hands.

II. It is alſo very inconvenient, for moſt of theſe dignities are decayed within theſe laſt fifty years very much. Greater impoſitions for the ſervice of the realm are laid upon them. Every thing to be required at double or treble prices, in reſpect of that it was then at. . . . And yet as great or greater hoſpitality looked for.

The seventh article.

That they, which may have chaplains, ſhall advance no more than their number, 'till the advanced dieth, or otherwiſe one of two benefices become void.

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The answer.

I. This is not to be disliked, unless the party be otherwise qualified than by the chaplainship.

II. And yet inconvenience may arise of it. For if a chaplain doth not behave himself as appertaineth, no reason he should be retained in service, and it were hard, not to allow another in such a case.

The eighth article.

That none shall be chaplain, enabled to two benefices, except he be master of arts, or allowed by the ordinary as sufficient.

The answer.

It is very convenient.

The ninth article.

That none shall be non-resident, but such as be continually attendant in the houses of such as they are chaplains unto.

The answer.

I. To be attendant the greater part of the year were sufficient. For the other part of the year they may be at their cure. And besides some have chaplains, which attend by course. Which is very convenient,

II. This is very prejudicial for grave men required for government in the universities. Which may very well discharge both duties.

III. This overthroweth residence in cathedral churches, colleges, and deanries. So that they cannot be attendant there, except they will leave their benefice, tho' it be but one.

The tenth article.

That they shall preach in person yearly, two sermons, and four sermons besides "per se vel per alium."

The answer.

It is too easy. It is requisite, that they should preach no sermons even in their own persons.

The eleventh article.

Lastly, To consider, whether it were not meet to abate the numbers of the chaplains of the archbishops, and others under that degree, that may by the statute keep more than one chaplain.

The answer.

It is not meet. For those of the clergy that have chaplains allowed, the statute sets down a good consideration. And there are not many such. Besides it is looked for; that they

should have preachers about them to furnish the want that is in most dioceses.

The twelfth article.

That in cases of pluralities and non-residences, the bishops shall have the allowing of the minister that shall serve the cure, in the absence of the incumbent; and the stipend of the said minister to be appointed by the bishop, according to the sufficiency of the minister. So that the same stipend do not exceed the third part of the clear yearly value of the benefice.

The answer.

This is very reasonable and according to law.

The thirteenth article.

There is one faculty of great inconvenience granted not only by the court of faculties, but by the chancellor of every diocese, viz. The dispensation of marriage without banns asking. By occasion whereof, children make disorderly matches without the assent of their parents; and orphans are left to the spoil of unthrifty persons.

The answer.

I. It may be so qualified that no inconvenience shall ensue thereof. II. There be divers reasonable occasions, that daily happen which may hinder the thrice asking of bans; which causes are meet to be considered of and allowed by the ordinary, or his deputy. III. The inconvenience that is proposed is in most dioceses already met withal, by putting these conditions in the faculty; viz. that they have their governors consent; that there is no suit for matrimony depending; no precontract, nor any other impediment; which the party is by a bond with sureties bound unto. So that by this means, this inconvenience is better met withal, than by asking the bans thrice; which may be done, and yet these impediments remain. IV. And since the bonds have been qualified as is above said, being about one twelvemonth past, experience doth teach, that none of the pretended inconveniences have happened.

A general answer to all the articles of excommunication, commutation, and dispensation.

Generally, This alteration, confusion, and abridgment of exercise of that jurisdiction will shortly decay the profession of the canon law, and civil law together. Whereby divers now are bred up in learning, in languages, in studies; so that they are enabled to serve the realm in any foreign service, as well as any one sort of learned men in the realm besides.

Archiepisc. Cant.
JOH. WHITGIFT 2.

Anno Christi
1584.

Reg. Angliae
ELIZAB. 27.

Synodus provincialis Eboracensis.

PER breve regium dat. 13. die Octobris anno regni XXVI. synodus haec ad 24. diem Novembris prox. in ecclesia metropolitana B. Petri Ebor. convocabatur, ac deinde in dies 8. et 22. Decembris, 8. diem Januarii, 5. diem Februarii

et 4. Martii prorogabatur: quo die clerus unanimi consensu subsidium dominae reginae concessit. Ab hoc die synodus in 19. mensis Martii continuabatur.

Archiepisc. Cant.
JOH. WHITGIFT 2.

Anno Christi
1585.

Reg. Angliae
ELIZAB. 27.

Synodus provincialis Cantuariensis.

HUJUS synodi anno superiore inchoatae sex hoc anno sessiones fuerunt; prima 31. die mensis Martii, in qua articuli pro clero confirmati, regia auctoritate stabiliti, ac statuta nonnulla de augmento doctrinae in inferioribus

clericis edita sunt. In secunda 21. die mensis Maii; in tertia 8. die Junii; in quarta 22. die Junii; in quinta 12. die Octobris; in sexta 11. die Februarii nihil memoratu dignum actum fuit.

Articuli per archiepiscopum, episcopos, et reliquum clerum Cantuariensis provinciae in synodo inchoata Londini vicesimo quarto die mensis Novembris, anno Domini M.D.LXXXIV. regnique serenissimae in Christo principis dominae Elizabethae, Dei gratia Angliae, Franciae, et Hiberniae reginae, fidei defensoris, etc. vicesimo septimo stabiliti, et regia auctoritate approbati et confirmati.

Ut homines idonei ad sacros ordines, et beneficia (uti vocant) ecclesiastica admittantur.

PRIMO cautum est, ne quis posthac ad sacros ordines suscipiatur, qui non eodem quoque tempore praesentationem suipsius ad beneficium aliquod intra dioecesim sive jurisdictionem ejusdem episcopi a quo sacros ordines petit, tunc vacans exhibuerit; vel qui non eidem episcopo certum, verum, et indubitatum certicatorium tulerit de ecclesia aliqua intra dioecesim sive jurisdictionem dicti episcopi, in qua curae animarum inservire possit; vel qui in aliqua cathedrali aut collegiata ecclesia, vel collegio Cantabrigiensi aut Oxoniensi non fuerit constitutus; vel saltem, qui ab eodem episcopo in beneficium aliquod, sive ad curam (uti vocant) inserviendam tunc etiam vacantem, non sit mox admittendus.

Deinde, ne quis episcopus posthac aliquem in sacros ordines cooptet, qui non ex sua ipsius dioecesi fuerit, nisi vel ex altera nostratium academiarum prodierit; vel, nisi literas (ut loquuntur) dimissorias ab episcopo, cujus dioecesis existet attulerit, et vicesimum quartum aetatis suae annum jam compleverit, ac etiam in altera dictarum academiarum gradum aliquem scholasticum susceperit, vel saltem, nisi rationem fidei suae juxta articulos illos religionis in synodo episcoporum et cleri approbatos Latino sermone reddere possit, adeo ut sacrarum literarum testimonia, quibus eorundem articulorum veritas innititur, recitare etiam valeat; ac ulterius, de vita sua laudabili et morum integritate literas testimoniales sub sigillo vel alicujus collegii Cantabrigiensis aut Oxoniensis, ubi antea moram fecerit, vel alicujus justitarii

ad pacem dom. reginae conservandum assignati, una cum subscriptione et testimonio aliorum proborum et fide dignorum hominum ejusdem parochiae, ubi per tres annos ante proxime elapsos commoratus est, exhibeat.

Quodsi vero aliquis episcopus aliquem ad sacros ordines admiserit, qui praedictis qualitatibus non sit praeditus, is per archiepiscopum, affidente sibi hac in parte uno alio episcopo, ab ordinatione ministrorum et diaconorum per integrum biennium suspendatur, ac eam praeterea poenam incurrat, quae de jure in ejusmodi episcopos, qui ad ordines ecclesiasticos sine titulo aliquem promovebunt, statuitur.

Adhaec, ne quis episcopus aliquem in beneficium (uti vocant) instituat, nisi qui praedictis conditionibus ornatus fuerit.

Quodsi curia de arcubus aut audientiae per viam duplicis querelae, seu alio quovismodo contra episcopum hac in parte agat, quia homines minime idoneos ac habiles admittere renuit; tunc licebit archiepiscopo, vel auctoritate propria, vel gratia speciali a regia maiestate impetrata, ejusmodi processus amputare, quo laudabilis episcopi industria debitum ea ratione fortiatur effectum.

Denique, ut quolibet anno ad festum S. Michaelis archangeli, vel intra sex hebdomadas, idem festum subsequentes, unusquisque episcopus numerum, nomina, gradus, et qualitates eorum omnium, quos in sacros ordines, vel in aliqua beneficia eodem anno praecedente promoverit, ad archiepiscopum transmittat.

De moderanda solennis poenitentiae commutatione.

Ne quae fiat posthac solennis poenitentiae commutatio,

mutatio, nisi rarioribus, gravioribusque de causis, atque adeo cum ipsi episcopo constiterit, eam esse ad reum reconciliandum et reformatum saniozem et tutiozem rationem.

Deinde, quod multa illa pecuniaria vel in relevamen pauperum ejusdem parochiae, vel in alios pios usus erogetur, idque ecclesiae solehniter et fideliter approbetur et innotescat.

Quodsi vero crimen fuerit notorium ac publicum, reus ipse vel in propria sua persona, publice in ecclesia poenitentiam suam minime fictam profitendo, laesae ecclesiae satisfaciet, vel ecclesiae minister in praesentia ipsius rei, palam e suggestu, ejus submissionem, et poenitentiae suae coram ordinario suo peractionem, atque etiam in verae suae resipiscentiae testimonium, quantam pecuniarum summam in usus supradictos erogandam reddiderit, denunciabit.

De moderandis quibusdam indulgentiis pro celebratione matrimonii absque trinundina denunciatione, quam bannos vocant matrimoniales.

Quandoquidem honestae, clarae, ac illustris conditionis homines, five urgente aliqua necessitate, five aliis non contemnendis rationibus, matrimonium aliquando celebrandi causas habere possunt, facultate sibi de bannis matrimonialibus aut non omnino, aut semel iterumve denunciandis indulta, sine aliquo gravi scandalo seu detrimento; idcirco ad evitanda generaliter quae hac in parte notantur incommoda, visum est caveri, ne ullae facultates five indulgentiae de celebrando absque bannis matrimonio concedantur, nisi idonea cautio prius sub hisce conditionibus ineatur; nimirum, primo, quod nullum postea constabit impedimentum pracontractus, consanguinitatis, affinitatis, vel ullius alterius legitimae causae cujuscunque ratione. Secundo, quod eo tempore, quo ejusmodi facultas five indulgentia conceditur, nulla controversia, lis, seu querela mota est, vel dependet coram aliquo iudice ecclesiastico aut civili, de ejuscemodi legitimo impedimento matrimonii inter hujusmodi personas contrahendi ut contracti. Ac tertio, quod ad nuptiarum solemnizationem non accedent, nisi assensu et expresse consensu parentum five tutorum prius impetrato. Et ulterius, quod matrimonii celebratio publice ac tempestive in facie ecclesiae fiet. Cujus quidem cautionis formula seu exemplar in scriptis concipietur, ac unicuique episcopo in sua cujuscunque dioecesi imitanda proponetur.

Provisio semper, quod quicunque contra hanc ordinationem deliquerit, ab executione officii per sex integros menses suspendetur.

De quibusdam circa excommunicationem excessibus coercendis five reformatis.

Quia excommunicationis usus in ecclesia perpetuae legis vigorem jam obtinuit, atque in omni jurisdictione ecclesiastica exercenda hucusque retinetur, ideo absque grandi mutatione totius ejusce jurisdictionis et plurimarum hujus regni legum innovari vel alterari nequit; nihilominus, ut excommunicatio (quae auctoritatis ac disciplinae ecclesiasticae quasi nervus quidam ac

vinculum habendum est) ad pristinum suum usum, decus et dignitatem reducatur; cautum est, ut quotiescunque censura ista in immediatam poenam cujuscunque notoriae haereseos, schismatis, simoniae, perjurii, usurae, incestus, adulterii, seu gravioris alicujus criminis venerit infligenda, sententia ipsa vel per archiepiscopum, episcopum, decanum, archidiaconum, vel praebendarium, modo sacris ordinibus et ecclesiastica jurisdictione praeditus fuerit, in propria persona pronunciabitur, una cum ejusmodi frequentia et assistentia, quae ad majorem rei auctoritatem conciliandam conducere videbitur.

Denique quod unusquisque vicarius generalis, officialis, seu commissarius, qui ordines ecclesiasticos non susceperit, eruditum aliquem presbyterum sibi accerset et associabit, qui sufficienti auctoritate vel ab ipso episcopo in jurisdictione sua, vel ab archidiacono (presbytero existente) in jurisdictione sua munitus, idque ex praescripto ipsius iudicis tunc praesentis, excommunicationis sententiam pro contumacia denunciabit.

Volumus etiam, ut sicut constitutum est ejusmodi excommunicationem per ministrum ecclesiae denunciari; ita ipse iudex de absolutione ipsius rei post satisfactionem suam peractam, eundem ministrum certiozem faciat, qui eandem absolutionem populo publice denunciabit; ac interim quod bene licebit dicto ministro reum a sacris arcere et repellere, tanquam in ecclesiam minime recipiendum, donec ejusmodi certificationem ab ipso iudice exhibuerit.

De beneficiorum pluralitate cobibenda.

Quod nemini in posterum facultas five indulgentia concedetur de pluribus beneficiis simul retinendis, nisi hujusmodi tantum, qui pro eruditione sua et maxime digni, et ad officium suum plenius praestandum maxime habiles et idonei censebuntur: nimirum, ut is, qui hujusmodi facultate fruiturus est, sit ad minimum artium magister, et publicus ac idoneus verbi divini concionator; ita tamen, ut idonea etiam cautione obstrictus teneatur, de personali sua residentia in singulis beneficiis per bonam anni cujuscunque partem faciendam, et quod ejusmodi beneficia triginta milliarium spatio ad summum non distent ab invicem. Denique, quod idoneum curatum habeat, qui plebem ejus parochiae, in qua non residebit, instituat ac informet, modo facultates ejusdem beneficii talem commode sustinere posse archiepiscopo vel ejus dioeceseos episcopo videbuntur.

De feodis, quae officiariis ecclesiasticis et eorum ministris debentur.

Cautum insuper volumus, quod neque alia neque majora feoda ab episcopo, ordinario, archidiacono, vel eorum ministris deinceps ulla de causa percipiantur, quam ea, quae, ineunte hoc regnum regia nunc maiestate, percipi solebant. Quodque tabula quaedam, singulorum hujusmodi feodorum summas continens, in quolibet consistorio ante festum S. Johannis Baptistae proxime venturum figatur, cujus exemplar manu ipsius ordinarii subsignatum intra tempus praedi-

praedictum ad archiepiscopum transmittetur.

Proviso semper, quod neque archiepiscopo, neque episcopo, vel directe vel indirecte, aliquam pecuniarum summam pro admittendis ad sacros ordines hominibus accipere licebit, idque sub poena juris.

De inquisitione per episcopos ineunda.

Quamprimum commode fieri poterit, vel ad summum intra unius anni spatium post hujus synodi finem, quisque episcopus de singulorum ministrorum, qui in sua dioecesi degunt, conditione, moribus, ac eruditione diligenter inquirat, per quos etiam et quo tempore ad sacros ordines admissi, quodque vitae genus sectati sint,

priusquam in ministerium sunt cooptati; ac de hisce omnibus ipsum archiepiscopum intra dictum tempus debite certiore faciet.

Episcopi in sua quisque dioecesi de omnium rectoriarum, vicariarum, ac caeterorum ecclesiasticorum beneficiorum suae dioeceseos valore annuo, juxta censum libri illius, qui Primitiarum dicitur, si modo ibidem censeantur; aliter vero juxta communem eorum aestimationem: quot item appropriationes, cujus veri valoris annui, et qui sint earum proprietarii; necnon de curatorum salariis annuis diligentem facient inquisitionem. Ac de hisce similiter omnibus intra tempus antea praescriptum, dictum archiepiscopum certiore reddent.

Archiepisc. Cant.
JOH. WHITGIFT 2.

Anno Christi
1585.

Reg. Angliae
ELIZAB. 27.

Mandatum archiepiscopi Cantuar. episcopo London. ad publicand. articulos.
Ex lib. instrum. penes episc. Lincoln.

JOH. divina providentia Cant. archiepiscopus, totius Angliae primas et metropolitanus, venerabili confratri nostro dom. Joh. eadem permissione London. episcopo, salutem et fraternam in Domino charitatem. Cum in sacra synodo provinciali sive convocatione praelatorum et cleri nostrae Cant. provinciae, auctoritate brevis regii in ea parte emanati in domo [capitulari] ecclesiae cathedralis D. Pauli London. 24. die mensis Novembris A. D. M.D.LXXXIV. ultimo praeterit. inchoata et celebrata, ac de die in diem, et loco in locum continuat. et prorogat. de consilio et assensu vestris, et aliorum venerabilium confratrum nostrorum, totiusque cleri nostrae Cantuar. provinciae in eadem sacra synodo sive convocatione ultimo die mensis Martii ultimo praeterit. congregat. inter nonnulla alia per nos mutuo et unanimi nostro consensu ad Dei gloriam illustrand. divini cultus augmentum, ecclesiae Anglicanae utilitatem, et ordinis clericalis decentiam tendentia, ordinata et stabilita, ex certis magnis et urgentibus causis per nos eisdem confratribus nostris et clero dictae nostrae Cantuar. provinciae expositis, et inter nos matura deliberatione consideratis et ponderatis, quasdam ordinationes intitulat. "Articuli per archiepiscopum, episcopos, et reliquum clerum Cantuar. provinciae in synodo inchoata London. 24. die mensis Novembr. A. D. M.D.LXXXIV. regni-que serenissimae in Christo principis dominae Elizabethae, Dei gratia Angliae, Franciae, et Hiberniae reginae, etc. XXVII. stabiliti, et regia auctoritate approbati et confirmati:" nos igitur ordinationes suprascriptas in et per totam provinciam nostram Cantuar. debitae executioni demandari volentes, easdem per typographum ad hoc auctoritate legitima munitum typis excudi mandavimus, unumque exemplar ita excusum et impressum praesentibus annexum, una cum vero exemplari manuscripto cujusdam obligatoriae cautionis, de qua in dictarum ordinationum una fit mentio, ne quisquam ignorantiam praetexere possit, fraternitati vestrae transmittimus publicand. eidem fraternitati vestrae firmiter praecipiendo mandantes, quate-

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nus vera exemplaria praedictarum ordinationum ac cautionis obligatoriae praedictae sub sigillo et [severalibus] literis vestris universis et singulis venerabilibus confratribus nostris episcopis, suffraganeis dictae nostrae Cantuar. provinciae et custodibus spiritualitatis sedium vacantium transmittend. ex parte nostra eis injungatis; quibus nos etiam harum serie injungimus, quatenus eorum singuli in singulis civitatibus et dioecesi. eorundem, prout ad eos et eorum quemlibet respective pertinet, ordinationes et cautionem obligatoriam praedictam debite publicent et denuncient, et ab omnibus, quos concernunt, observari et debitae executioni demandari faciant et curent cum effectu. Ac insuper ordinationes memoratas per fraternitatem vestram in et per civitatem et dioecesin vestras, prout ad vos attinet, debite et effectualiter publicari, denunciari, et executioni debitae demandari volumus et mandamus, prout convenit. In cujus rei testimonium sigillum nostrum praesentibus apponi fecimus. Dat. in manerio nostro de Lambeth 16. die mensis Aprilis, anno Dom. M.D.LXXXV. et nostrae translationis anno secundo.

Conditio obligatoria.

The condition of this obligation is such, that if hereafter there shall not appear any lawful let or impediment by reason of any precontract, consanguinity, affinity, or by any other lawful means whatsoever, but that the within bounden A. B. and C. D. may lawfully solemnize matrimony together, and in the same afterwards lawfully remain and continue like man and wife, according to the laws in that behalfe provided. And moreover if there be not at this present time any action, suit, plaint, querele, or demand moved or depending before any judge ecclesiastical or temporal for and concerning any such lawfull let or impediment between the said parties; and also if the said parties do not proceed to the solemnization of this marriage without the consent of their parents or governours. And lastly, if the

M m m m

said

saïd marriage be openly solemnized in the church; that then this present obligation to be void and of none effect, or else the same to

stand and abide in full power, strength, and vertue.

Archiepisc. Cant.
JOH. WHITGIFT 2.

Anno Christi
1585.

Reg. Angliae
ELIZAB. 27.

Certain orders for the increase of learning in the unlearned sort of ministers.

Ex libro instru. episc. Lincoln. fol. 50, 51.

IN PRIMIS, The order appointed in the preface of the common book, concerning the dayly readinge of publique prayer, shall be duly observed, to the end they may be the better acquainted with the phrased and histories of the scriptures.

Item, The ordinary of the place shall assigne unto such as are not maisters of art, or preachers, one chapter, att the least, of the Old and New Testament, every week, to be diligently studied upon by them in such sort, as they be able to make accompte of the principall contents thereof in Latten, and bring notes in Latten, collected out of the same.

Item, The ordinary of the place shall likewise appoint unto them, every quarter of a yere, a common place of divinity, to be written upon in Latten by them, and to be travelled in so, as they be able to answer to the

principal points thereof in Latten.

Item, Such as are not able to do these exercises in Latten, shall for the time performe them in Englishe, yet so as if in convenient time to be assigned unto them by the discretion of the ordinarie (having regard to their age and capacities) they do not perform them in Latten, or at least have good testimonie of their diligence in studie, they shall be proceeded against by ecclesiastical censures for their notorious negligence.

The ordinary shall examine himself, or by some learned preacher call them to accompte for their exercises every quarter, and shall examine them also att their synods and visitations, how they have profited, and such as shall be notoriously negligent, or wilfullie disobedient, shall be punished by the ordinary of the place, as the quality of his offence shall require.

Articles to be enquired upon in the visitation of the diocesse of Chichester, sede vacante, by the authority of the most reverend father in God John, archbishop of Cant. primate of all England, and metropolitan, as followeth. Reg. I. Whitgift fol. 116. b.

I. WHETHER your minister have used any other form or manner of publick prayers, administration of sacramentes, or any other rites, ceremonies, or orders, than are prescribed by the book of common prayer; or hath he altered them, or any of them, how, and in what manner?

II. Whether doth he, or any other, take upon them to reade lectures, or preach, being mere lay persons, or not ordered, according to the lawes of this realme, or not lawfully licensed; doth he or any other preachers, remayning in your parishes, at some times every yere, personallie, say the publick service and administer the holy communion himself, according to the saïd book of common prayer or noe; doth he, or any other, keepe any exercise of expoundinge, or reade any lecture in private howses, whereunto other, besides those of that familye, do resort?

III. Whether upon Sabbath days, and holie dayes, doth your minister call for, and instructe the youth of his parish in the catechisme, and principles of christian religion; and whether likewise, once every Sabbath day, put the church wardens in mynde of ther duty, as well to note who absentes themselves from divine service, and upon the goodes and cattles of such to levye xii. d. a peece for every default, to the use of the poor, as such also who unreve-

rentlie there behave themselves; and whether do the churchwardens perform that duty accordinglie?

IV. Whether hath your minister used the form of thanksgiving after childebirth, for any woman unlawfullie begotten with child, otherwise then upon a sabbath day, or holy day, in time of publick prayer; and also with publick acknowledgment of her sinne, in such forme as the ordinarie has prescribed?

V. Whether doth your minister in publick prayer time wear a surpleesse, and go abroad apparelled, as by her majesties injunctions and advertisements prescribed; doth he privately exercise himself in godly prayer, and study, and with other convenient exercise for his vocation; doth he keepe any suspected woman in his house, resort to any infamous houses, use any light disposed company; is he a swearer, gamester, common hunter or hawker, unseemly in apparel, or giveth any just occasion of offence, or evil example of life; is he probable suspected to have attained any spiritual living through any symoniacal compact, made by himself, or any other for him, eyther directly or indirectly; is he a common resorter to tavern or alehowses, or doth suffer any wine, ale, beere, or victual to be sold in his parsonage, or vicaridge house or no?

VI. Whether hath your minister, or any other whatsoever

whatsoever, spoken against any parte of the booke of common prayer, or against any of the articles agreed upon by the clergy of both the provinces anno M.D.LXII. in a synod holden at London; or defended any popery, or other erroneous, seditious, or schismatical opinions?

VII. Whether are any in your parish suspected to reserve any monument of superstition or idolatrye, to resort to any masse, or other service disallowed, or to any popishe prieste for shrifte or any in your parish suspected to receive into their houses, or companie, any jesuites, preists, seminary men, or other like fugitives disguised, or suspected persons, or to be reconciled to the church of Rome; are ther any which do not, according to the law, both resorte to divine service publickly in the church, and also communicate the holy sacrament as is required?

VIII. Whether doth any in your parish teach children publickly, or in any man's house privately; is such licensed by the ordinary; is he known to resort to publick service, and to be of sound religion; doth he teach the catechism to his schollars, which was set out for that purpose; and doth he train up his schollars in knowlege of true religion now established, and in obedience to the prince or no?

IX. Whether are your hospitals and almshouses used according to the foundation and ordinance of the same, and such only placed in them as be most impotent and nedye; and whether legacies, and other sommes of money, given and set forth for such other good and godly uses, be employed according to the intent of the givers?

X. Whether have anie married within the forbidden degrees, consan uinitie or affinitie; any separated in that respect, do keep company still together; any lawfully married, which offensively live asunder, or which have married else where; any man which has two wives, or woman two husbandes; are ther in your parish any incestuous, adulterous, or incontinent persons; any common drunkards, rybaldes, swearers, slanderers, uncharitable, forcerers, charm-ers, usurers, or vehemently suspected of these

or any of them?

XI. Whether any in your parish have departed this life, whose wills are not proved; doth any administer or intermedle with the deades goods, without authoritie from the ordinarie for the time being; hath any wills been proved, or administrations granted since the 27. of February last; what be their names and surnames, which offend against this or any other the aforesaid articles?

XII. Whether hath anie ordinary, register, clerke, or apparitor concealed, or winked at any offender, presented, or commuted any publick satisfaction, or punishment for money, without most urgent cause, and publick testification in the church of the offenders repentance; or in such case hath not wholie imployed the same to godly uses; and whether hath any of them enacted excessive or unaccustomed fees in anie ecclesiastical matter whatsoever?

XIII. Whether is your minister a preacher; hath he any other living ecclesiastical; where doth he remayne, and abyde, for the most part; what is his living yerely worth by common estimation; and of whose patronage in fee is such living; of what age and degree of scholes is he, as you have heard or do conjecture?

XIV. Whether hath in your parish, being such as refuse to come to divine service, any children; of what age, where and with whom do they remain; have such, or any other, any children, kinsfolkes, or freinds beyond the seas; did they depart with license; how long agoe; and in what partes on the other syde of the sea do they remain, as you know, have heard or do conjecture; and what releife have they from any in your parish, or from any other within her majestys dominions?

XV. Generallie you shall, by the othe you have taken, make diligent inquisition and trewly present in writing not only the names and surnames of all, who have offended, are suspected, or are touched in anie of these articles, but also who have offended, or are suspected to have offended against any parte of the queens injunctions, or any ecclesiastical lawe of this realme.

Archiepisc. Cant.
JOH. WHITGIFT 2.

Anno Christi
1585.

Reg. Angliae
ELIZAB. 27.

Synodus provincialis Eboracensis.

SYNODUS provincialis Ebor. a 19. die mensis Aprilis, et ab illo die ad diem Martis prox. Martii anni praecedentis ad 7. diem mensis ante festum Pentecostes continuabatur.

Archiepisc. Cant.
JOH. WHITGIFT 3.

Anno Christi
1586.

Reg. Angliae
ELIZAB. 28.

The archbishop's letter for prayers for the queen. Reg. I. Whitgift fol. 126. b.

SALUTEM in Domino. Whereas I have caused to be set forth in printe a book, conteyninge an order of prayer and thanksgiving for the preservation of her majestye, and this realme, from the trayterouse and bluddy practices of the pope and his adherents, to be used

at times appointed in the preface of the said booke, the true transumpt whereof I send unto your lordship herewith in printe; these are to pray and require your lordship, that with convenient speed, you do not only publish, and cause to be put in execution the said booke of prayer

prayer, according to the tenor thereof, throughout your own diocese; but also that you will send severall copies and transumptes thereof, together with copies of these my letters to all the rest of my brethren, the bishops of my province, willinge and requiring them, and e-

very of them, to do the like in their severall dioceses and jurisdictions. And so I commend your lordship to the grace of God. From my house at Croydon the 24th of August, M.D.LXXXVI.

Archiepisc. Cant.
JOH. WHITGIFT 3.

Anno Christi
1586.

Reg. Angliae
ELIZAB. 28.

A letter from the archbishop of Cant. to the bishop of Lincoln, concerning the admittance of unmeet persons into the ministry. Ex libro instrument. episc. Lincoln. fol. 73.

"**S**ALUTEM in Christo." It hath pleased her majesty of late to signifie unto me, that she is informed little or no redresse at all to be concerning the admittance of unmeet men into the ministry, and suffering such as are dissolute in life to remain therein; giving unto me very straight charge to loke diligently unto it. And although I hope the information is not true, but rather devised by some that can be contente to take occasion to seek the disgrace of the present estate of the clergy, and that for the time I satisfied her highness; yet for a more satisfaction therein, and for the better discharge of my duty I do earnestly pray your lordship, with as much speed as you can, not only to certifie me of all those that you have admitted into any degree of the ministry, since the last convocation, together with their degrees and qualities; but also in like manner such as you have admitted to any benefice, or to serve any cure within your diocese, since the last time. And further to send unto me the names, degrees, learning, and qualities of all the ministers within your diocese, according to the canon of the articles agreed upon in the last convocation, entituled, "De inquisitione

per episcopos ineunda;" desiring your lordship to loke diligently to the observing of all the said articles, which as yet you have not done, because I am not certified in many points according to the same. And assure yourself there are diligent inquisitors for those matters, who will not be silent, when occasion shall serve. Her majesty is very earnest to have them performed; and I would be lothe, for my credits sake, that any defect should be found, when the matter shall come to further examination. I have sent your lordship herein enclosed a note of such counterfaite ministers, as I have learned to be abroad. I pray you have a special regard unto them, and if any of them happen to be within your diocese, send them uppe to me, that I may take order with them accordingly. And so with my hearty commendation I commit your lordship to the tuition of almighty God. From Croydon the 6th of September, M.D.LXXXVI.

Your loving brother in Christ,

JO. CANTUAR.

The archbishop of Canterbury's license to bring in popish books. Strype's life of Whitgift p. 269.

WHEREAS sundry books are from time to time set forth in the parts beyond seas by such as are addicted to the errors of popery; yet in many respects expedient to be had by some of the learned of this realm; containing also oftentimes matter in them against the state of this land, and slanderous unto it, and therefore no fit books to pass through every man's hand freely: in consideration whereof, I have tolerated Ascanius de Renialme, merchant bookseller, to bring into this realm from the parts beyond seas some few copies of every such sorts of

books, upon this condition only, that any of them be not shewed nor dispersed abroad, but first brought to me, or some other of her majesty's privy council, that so they may be delivered or directed to be delivered forth unto such persons only, as by us or some of us shall be thought most meet men, upon good considerations, and purposes to have the reading and perusal of them. Given at Lambeth the . . . day of October M.D.LXXXVI. anno reg. Elizab. XXVIII.

Archiepisc. Cant.
JOH. WHITGIFT 4.

Anno Christi
1586.

Reg. Angliae
ELIZAB. 29.

Convocatio praelatorum et cleri provinciae Cantuar. per breve regium ad 16. diem Octobris in ecclesia sancti Pauli London. summonita, prorogabatur per aliud breve regium ad 28. Octobris, et deinde per aliud breve ad secundum diem Novembris sequentis, et deinde de die in diem usque ad 24. mensis Martii sequentis, quo synodus haec virtute brevis regii dissolvebatur. Ex reg Whitgift fol. 131. a. et MS. Miles Smith.

UT paulo distinctius tamen hujus synodi acta prosequamur ex MS. Smithiano (de quo supra mentio fit) sequentia delibavimus.

Prima sessionis die (Octob. 16.) virtute brevis regii archiepiscopo directi, et commissionis archiepiscopalis, quinque episcopis, vicario generali, et doctori Dunne traditae, synodus continuabatur ad 28. Octob. quo die

Secunda sessio per aliud breve et virtute commissionis prorogabatur ad 2. diem Novembris.

Tertia sessio hoc die primordia sumpsit cum sacris in ecclesia S. P. London. peractis; deinde in domo capitulari certificatoria episcopi London. et archidiaconi Cant. de executione mandati archiepiscopi, et schedulae de contumaciis perlegebantur.

Quarta sessio (Nov. 4.) in ecclesia B. Petri Westm. fuit; ubi post protestationem decani Westmonasteriensis de privilegiis ecclesiae suae, archiepiscopique responsum, Guil. Redman, archidiaconus Cant. prolocutor electus confirmatus est, et commissio archiepiscopalis suo nomine huic convocationi praesidendi tradita quinque episcopis, et Redmanno prolocutori, dom. Awbrey, vicario gen. D. Goad, decano Westm. et doct. Dunne.

In quinta sessione (Nov. 9.) in sexta (Nov. 11.) et in septima (Nov. 16.) nihil actum fuit memoratu dignum.

In octava sessione (Nov. 18.) de examinatione ordinationis vel institutionis personarum indignarum ab episcopo factae, et de reformatione violationis canonum tractabatur.

In nona sessione (Nov. 23.) in decima (Nov. 25.) in undecima (Nov. 28.) in duodecima (Dec. 2.) nihil actum fuit.

In tertia decima sessione (Dec. 2.) statutae progressu in studiis ab inferiori clero faciendae ab archiepiscopo (quae statim hic sequuntur) et duae schedulae ab inferiore domo exhibebantur, continentes querelas ex dioecesi Norwicensi et archidiaconatu Suffolciensi transmissas, quas infra addimus.

Synodus haec per prorogationem apud ecclesiam S. Pauli London. habita fuit 17. die Februarii, in cujus prima sessione absentes suspenduntur, et subsidium benevolentiae proponitur, quod tamen ulterius tractabatur in tertia sessione (Mart. 3.) et in quarta (Mart. 4.) demum perficiebatur sc. concedendo tres solidos pro libra. In secunda sessione (Mart. 1.) et in quinta (Mart. 6.) et in sexta (Mart. 8.) nihil praeter prorogationes actum fuisse dicunt MSS. In septima sessione (Mart. 10.) gratiae a dom. regina pro benevolentia synodo aguntur per archiepiscopum,

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qui archidiaconorum diligentiam excitabat contra clericos malae famae, et contra concionatores de rebus politicis publice sermocinantes. In octava sessione (Mart. 11.) et in nona (Mart. 15.) per commissionem synodus continuabatur. In decima (Mart. 18.) benevolentia in scriptis redacta synodo praesentabatur cum nominibus collectorum ejus: deinde domus inferior episcoporum vigilantiam circa ordinationes implorabat, ne officarii illorum nimis excessiva praemia pro instrumentorum scriptione poscerent, ac ut omnes clerici in beneficio ecclesiastico instituti, ad inductionem obtinendam properarent sub poena sequestrationis fructuum. In undecima (Mart. 17.) et in duodecima (Mart. 22.) nihil praeter continuationes. In decima tertia (Mart. 24.) continuatio fit usque ad post meridiem; quando in decima quarta synodi sessione breve regium de dissolvenda synodo ab archiepiscopo introducitur, et schedula suspensionis omnium non comparentium, et absque venia discedentium, horis matutinis exhibita revocatur, et episcopus Aflavensis cum aliis absolvitur; ac synodus dissoluta esse pronuntiatur.

In hac synodo (2. die Decembris) ab archiepiscopo Cantuariensi introducebantur Orders for the better increase of learning in the inferior ministers, and for more diligent preaching and catechising.

I. Every minister having cure, and being under the degrees of master of arts, and bachelors of law, and not licensed to be a public preacher, shall before the second day of February next provide a Bible, and Bullinger's Decads in Latin or English, and a paper book, and shall every day read over one chapter of the holy scriptures, and note the principal contents thereof briefly in his paper booke, and shall every weeke read over one sermon in the said Decads, and note likewise the chief matters therein contained in the said paper; and shall once in every quarter (viz. within a fortnight before or after the end of the quarter) shewe his said note to some preacher nere adjoyninge to be assigned for that purpose.

II. Item, The bishop, archdeacons, or other ordinary, being a publick preacher, shall appoint certaine grave and learned preachers, who shall privately examine the diligence, and view the notes of the said ministers, assigninge fixe or seaven ministers, as occasion shall require, to every such preacher, that shall be next adjoyninge to him, so as the ministers be not driven to travall for the exhibitinge of their notes above fixe or seaven miles (if it

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may

may be) and the said preacher shall, by lettres or otherwise, trulie certifie to the archdeacons, or other ordinarye of the place, themselves being publick preachers, and resiant within, or nere to their jurisdiction, and for want thereof, to the busshop himself, who do performe the said exercises, and how they have profited therein, and who do refuse or neglecte to perform the same; the archdeacons, and others receiving the said certificates, shall signifye the same, once in the yere, to the busshope, and that about Michalmas.

III. Item, Such as shall refuse to perform the exercises, or shall be negligent therein, and shall not after admonition by the bishop, archdeacon, or other ordinary aforesaid, reform himself, if he be beneficed, shall be compelled thereunto by ecclesiasticall censures; if he be a curate, shall be inhibited to serve within the jurisdiction.

IV. Item, The busshopes, archdeacons, etc. shall carefully looke that the ministers serving cures do, according to her majesty's injunctions, instruct the youth in the catechisme with additions, set forth by publick authority, and such of the ministers, as by examination and tryall, shall be found of reasonable abilitie, may by the archdeacons and ordinaries, being publick preachers, as aforesaid, be permitted to expound, standing in their stalls, the pointes of the said catechisme onlie with the additions, to their parishioners, untill they shall be founde meete to be by the bishop tolerated, or authentically licensed to preache.

V. Item, Such masters of arts, and batchelors of lawe, as have any cure, and are not licensed to preach, if within six monthes after admonition to them by the bishop, archdeacon, or other the said ordinaries (whose consciences are herein to be burdned) they shall not be lawfully licensed to preach by the archbishop, or by the busshop of the diocesse, or by one of the universities, shall be tyed to the said exercises, untill they be found meete and licensed to be preachers.

VI. Item, Every licensed preacher shall yere-ly in propria persona preach twelve sermons at the least, within every diocess where his benefitt doth lie, of the which twelve, eight at the least shall be in his own cure; but if the said licensed preacher have two benefices, then he shall preach eight sermons at each of his benefices every year at the least, and shall yere-ly make particular and true certificate thereof to the busshop of every said diocesse, betwene Easter and Midfomer, upon pain to have their licenses revoked, or otherwise to be proceeded against for their negligence.

VII. Item, The busshope, archdeacon, or other ordinary, with the advise and consent of the busshope, shall appoint fixe or seaven pu-

blick preachers to preach by course every Sunday, in the parishes, within a convenient limite nere adjoyninge to their habitations, where there is no licensed preacher; so that there may be in every such parish one sermon at the least every quarter, and the parties charged with the cures of the said parish shall bear the charge of the dinner and horsemeate of the said preacher, and procure some minister, near adjoyning to his benefice, to serve the cure that day in his absence, unless he have a curate of his own there.

VIII. Item, It is concluded that the exercises above written, and no other, shall be henceforth publick, or privately used within anie part of this province."

Postea in hac convocatione eodem die nonnulla de electione procuratoris cleri Suffolciensis (an ex archidiaconatu Suffolc. an Sudburiensi eligi debeat) et de concessione subsidii tractata sunt. Accipe quae Strypius hac de re meminit in vita archiepiscopi Whitgift p. 260. quae et Miles Smith l. c. collegit. "Besides the orders for the increase of learning in the ministers brought into the convocation, there were two schedules brought from the lower house; First, a complaint of disorder in Norwich diocese, viz. I. That there was no observation of the canons. II. That unworthy persons were ordained and instituted. III. Penances were commuted by ecclesiastical judges. IV. Chancellors and commissaries caught at causes, who should get most. V. Excommunication denounced for trifles. VI. No care was had of the poor, and orderly painfull preachers were discharged, the disorderly promoted and made reformers. VII. Exaction of fees. VIII. Preaching without licence. Whereupon it was desired, that none might preach by licence, unless he conformed to the book of common prayer, and used it in all his administrations. And IX. A restraint of prohibitions was prayed, and a regulation of fees. The other schedule was intitled, "Suffolk archdeaconry particularly." I. The communion not at all, or but in part used and observed. II. The wearing of the surplice refused. III. Holy days not observed. IV. The communion was received by many sitting, and those that conformed to the church called "Time servers." V. Stipendiary preachers and curats mutinous and disorderly. VI. Questmen were faulty in not presenting non-comparents, contumacious, and suspended persons.

In this convocation a grant of benevolence was agreed on by the archbishop and the other bishops and clergy of the province of Canterbury March 4. and the clergy of the other province now sitting in convocation at York, granted the same subsidy and benevolence on the 9. of March.

Archiepisc. Cant.
JOH. WHITGIFT 4.

Anno Christi
1586.

Reg. Angliae
ELIZAB. 29.

Concilium provinciale Eboracense.

CONCILIUM hoc post varias prorogationes continuatum, per breve regium dat. apud Westm. 15. die Septembris dissolvebatur. Per aliud autem anno regni reginae xxviii. ad diem 16. mensis Octobris in ecclesia metropolitana S. Petri Ebor. convocabatur. Eo die ad 2. mensis Novembris, et sic de die in diem usque ad 9. Martii continuata, sub fidiumet benevolentiam dominae reginae concessit. In cujus concessio- nis praefamine, praelati et clerus habito inter eos tractatu in hac parte requisito, prout hujus negotii gravitas exigebat, officium suum erga serenissimam principem et dominam nostram Elizabetham, etc. ponderantes, ac ampla et multifaria beneficia in omnes hujus regni An- gliae subditos generaliter et ipsos specialiter in- dies et cumulate non modo per gratiosissimum et piissimum suum regimen et imperium, quo pacifice gubernantur, divinoque obsequio inser- viendo et munere suo obeundo et exequendo magis habiles et idonei redduntur; verum e- tiam, idque praecipue, per sacrosancti verbi e- ditionem, sinceramque et verae religionis in hoc regno professionem et stabiliationem, omnimo- daeque forinsecae potestatis eisdem contrariae abolitionem collata considerantes; pensantes e- tiam graves impensas, quas regia majestas tam in provisione necessaria omne genus armorum et munitionum pro dominiis tam per mare, quam per terram fortificandis, hostilibusque invasio- nibus resistendis, quam in praeventione necessa- ria gravissimorum facinorum, non modo ad pa- cem disturbendam, sed ad ipsam nostram rem- publicam felicissimam evertendam et destru- endam, notorie tendentium, ruinam et calami- tatem diversarum regionum associatarum, a no- bis procul non jacentium inferendam, extirpa- tionemque verae et sinceram professionis christi- anae, plane minantium, nuper sustinuit: pen- santes denique malitiam eorum, qui veritati di- vinae se opposcentes, in sacram dictae serenissi- mae principis personam (quam Deus opt. max. nobis ad sui gloriam, et evangelii sui propaga- tionem diu conservet incolumem) ac in feli- cem hujus regni statum nefarie conjurarunt; quae indies crescit et pullulat, prout per non pauca papistarum stratagemata diabolice adin- venta, nuper divino beneficio nudata, luce cla- rius patet, unde periculosissimi, et non sine multi sanguinis effusione, eventus verisimiliter orirentur, si non divino beneficio, summaque dictae sacrae principis, insignis christianae rei- publicae propugnaculi, providentia praevenia- tur, id quod sine maximis majestatis suae sum- ptibus fieri nullo modo potest; pro declaratio- ne, ac in signum, et pignus suae erga sublimi- tatem ipsius dominae reginae, voluntatis, fide- litatis, et officii, unanimi assensu et consensu suis, quoddam ultroneum subsidium sex solidorum de libra omnium dignitatum, beneficiorum, et promotionum spiritualium, et ecclesiastica-

rum provinciae Ebor. eidem dominae reginae, haeredibus et successoribus suis, sub modo et forma, prout in scriptis penes acta remanenti- bus, ac sub conditionibus et provisionibus in iis- dem specificatis plenius liquet et apparet; sed etiam quandam benevolentiam (quam vocant) de omnibus beneficiis praedictis, viz. iii. s. de li- bra personae dictae serenissimae principis tantum concesserunt in scriptis, ut in schedula penes acta hujus sanctae synodi etiam remanente, ple- nius et planius continetur; quas quidem sepa- rales concessiones dicti praelati et clerus, ut praefertur, congregati, per mantum suarum subscriptionem regiae majestati tunc et ibidem commendarunt.—Et tunc praelati et clerus de sumptibus procuratoribus et eorum substitutis, ac aliis officiariis et ministris in hac synodo ser- vientibus, suppeditandis decretum sequens ini- verunt. And in respect of the pains and atten- dance of the proctors and their substitutes ap- pearing in this present convocation, and other officers, and ministers serving in the same, it is now ordered and decreed by the said prelates and clergy, with one assent, that every prelate and others of the clergy within the said pro- vince having any benefice or promotion spiritu- al or ecclesiastical, and appearing by proctor in the same convocation, shall well and truly an- swer, satisfie, and pay to his said proctor now present in this convocation, and to the register and apparitor of the same convocation, for e- very pound that he or they may yearly dispend by reason of their benefices and promotions within the said province (all vicars excepted) two pence, and every vicar, whose benefice is of ten pounds or above, one penny and no more; one moiety thereof to be paid to every of the said proctors now present for such as he appear- eth for, and the other moiety to be paid and divided equally betwixt the said register and Thomas Southworth, the apparitor, in respect of their said pains and attendance, upon the sight of a copy of this synodical decree, under the hand of the actuary of the same synod or convocation. And if any man chargeable to and with the said salary, or any part thereof, shall not, upon sight of the said copy, well and truly satisfie, and pay his part of the said salary, according to the true meaning of this constitution, to such person or persons as shall make shew of the same copy so subscribed, it is then, and in that case by the authority of the convocation provided and decreed, that it shall be lawful for the chancellor of the archbishop of York for the time being, to call before him every person so making default of payment, and him by the censures of the church there- unto to compel as appertaineth. And for the true and certain value of all the same promoti- ons and benefices and every of them, whereof the payment of this salary shall be made, the rate,

rate, taxation, and valuation now remaining of record in her majesty's court of Exchequer, for the payment of first fruits and tenths to her majesty shall only be followed and observed. Provided that none of the beneficed men, appearing personally this day in this convocation, shall be chargeable to the said salary for their promotions and benefices.

Tenor vero dicti benevoli subsidii seu benevolentiae (ut prius) concessi sequitur, et est talis:

Most excellent and most gracious sovereign lady. We your prelates and clergy of the province of York, when gathered together in a convocation or synod, calling to our minds and considering with all thankful remembrance the manifold and great benefits that every member of this realm generally hath, and do daily receive, by the blessing of almighty God, under your majesty's most happy and peaceable government; and we ourselves specially, by your gracious and princely care over us, whereby we do not only enjoy our lives and livings in happy peace, but also the free exercise of our ministry and function, the true preaching of God, and the sincere administration of his holy sacraments (to us far more dear than our lives and livings) and further, seeing the infinite occasions that (through the execrable malice of the enemies of the gospel of Christ) do daily arise, whereby your highness is driven to many extraordinary and inestimable expences for the necessary defence of the gospel, and your highness's dominions; in token of our dutiful and thankful hearts to your majesty's most royal person, have with one mind and hearty good will (over and above our subsidy of six shillings in the pound already granted to your highness, your heirs and successors in this our convocation or synod) yielded to, and given, and by these presents do give and grant to your highness's person only, a benevolence or contribution of three shillings of every full pound of the clear yearly value of all ecclesiastical and spiritual promotions within the said province of York, and of the lands, benefices, appropriations, and other possessions and revenues to the same belonging, or now remaining unseparated from the same, and in the possession of the clergy, to their only use, according to the taxation and valuation mentioned in our said grants of the said subsidy (the tenths thereof being deducted) and not otherwise; if it shall please your highness to like and assent thereunto (all vicarages under the value of ten pounds after the rate of the said taxation, and all lands, revenues, possessions, benefices, and appropriations, belonging to either of the universities of Cambridge and Oxford, or to any college, hall, or house of students in the same or either of them, or to the collegiate church of Westminster, the free chapel or college of Windsor, the college of Eaton by Windsor, the college of Winchester founded by bishop Wickham, or to any almshouse, hospital, or grammar school, or assign-

ed, appointed, or used to the maintenance of any preacher, or reader of divinity, poor men, schoolmasters, ushers, grammarians, petty canons, conducts, vicars-choral, singing men, choristers, virgers, or any other necessary inferior officers in any cathedral, or collegiate church, or college within the said province, or towards the re-edifying, or repairing of any of the same cathedral or collegiate churches, or colleges only excepted) the said contribution or benevolence of iii s. in the pound, as is aforesaid, to be paid to such person or persons, as your majesty shall appoint for the receipt thereof, to your highness's only use, at three several payments, without any deduction saving of four pence of every pound for the collection, and portage, and without any manner of charge to the accomptant, saving three shillings four pence for the general acquittance for every of the said three payments; the first payment thereof to be due the first day of May next, and the second payment to be due the first day of May, which shall be, in the year of our Lord God M.D.LXXXVIII. and the third payment to be due the first day of May in the year of our Lord God M.D.LXXXIX. And we your prelates and clergy most humbly beseech your majesty to take in good part our loving minds and good wills, and not only to accept of this small gift of ours (tho' it be nothing answerable to our desires) but also by your majesty's letters patents under your great seal to assent thereunto, and to licence, and authorize us in this our convocation and synod, to devise, make, and ordain such orders, decrees, or constitutions provincial, and synodal, as we shall think most expedient for the more speedy and sure levying and payment of the said benevolence or contribution, and thereby also to give and testify your majesty's royal assent to such orders, decrees, and constitutions, as in this our synod and convocation we shall make, decree, or ordain for the speedy and sure levying, and payment thereof to such person and persons as your majesty shall appoint for the receipt thereof, as is aforesaid. In cujus rei testimonium nos Edwinus, providentia divina Ebor. archiepiscopus, Angliae primas et metropolitanus, ad petitionem confratrum meorum, et totius cleri nostrae Ebor. provinciae, sigillum nostrum archiepiscopale praesentibus apposuimus. Dat. Ebor. in domo nostra capitulari nono die mensis Martii, anno Domini juxta computationem ecclesiae Anglicanae M.D.LXXXVI. et nostrae translationis ad archiepiscopatum Ebor. anno undecimo.

Litterae patentes dominae reginae.

Regina, etc. omnibus, etc. salutem. Cum praelati et clerus Ebor. provinciae, nostra auctoritate in synodo sua seu convocatione congregati, ex intima et propensa animorum suorum affectione, quam erga nos gerunt (ultra et praeter subsidium sex solidorum singularum librarum annuarum) quandam benevolam contributionem trium solidorum pro singulis libris annuis omnium et singulorum beneficiorum suorum ecclesiasticorum

clesiasticorum et promotionum spiritualium quarumcunque, ac omnium possessionum ac reventionum eisdem annexarum, seu quovismodo spectantium, et pertinentium, dederint et concesserint, prout per quoddam scriptum seu instrumentum publicum sigillo praedilecti et fidelis subditi nostri Edwini, Ebor. archiepiscopi, munitum, et nobis exhibitum, gerens datum 9. die Martii, anno Domini juxta computationem ecclesiae Anglicanae M.D.LXXXVI. plenius liquet et apparet; sciatis igitur, quod nos, ad humilem petitionem praelatorum nostrorum et cleri antedict. praefatae benevolae contributionis concessionem acceptamus, approbamus, et eandem confirmamus, ratificamus, et stabilimus, ac eidem omnibusque et singulis clausulis, sententiis, provisionibus, et exceptionibus in dicto instrumento contentis, et specificatis, regium nostrum assensum ex certa scientia et mero motu nostris praebemus per praesentes: ac insuper sciatis, quod ex gratia nostra speciali ac certa scientia et mero motu nostris licentiam, facultatem et auctoritatem praelatis nostris et clero praedict. in hac praesenti synodo congregatis decernendi, ordinandi, et constituendi quaecunque decreta, ordinationes, et constitutiones synodalia, ac eadem sic per ipsos decreta, ordinata, et constituta,

executioni mandandi et cum effectu exequendi, quae sibi commoda et opportuna videbuntur pro meliori, vera, et justa collectione et solutione dictae benevolae contributionis, et cujuslibet inde parcellae, dedimus, concessimus, et confirmavimus, ac etiam damus, concedimus, et confirmamus per praesentes. In cujus rei etc.

Quibus literis regiis patentibus die Jovis 23. mensis Martii publice in synodo praelatorum et cleri provinciae Ebor. lectis; dicti praelati et clerus auctoritate et vigore dictarum literarum regiarum patentium in ea parte rite et legitime procedentes, ordinationes et statuta synodalia pro fideli collectione, levatione, receptione, et solutione praefati extraordinarii subsidii trium solidorum in qualibet libra beneficiorum et promotionum suorum ecclesiasticorum infra hujusmodi Eboracensem provinciam constituti, nomine benevolae contributionis serenissimae dominae nostrae reginae Elizabethae, etc. per eosdem praelatos et clerum in dicta synodo congregatos, nono die mensis Martii concess. fecerunt, ordinaverunt, et constituerunt, et pro valore, validitate, robore, et effectu earundem auctoritate, qua supra decreverunt et pronunciarunt. Quarum quidem constitutionum five ordinationum veri tenores sequuntur, et sunt tales.

Ordinationes aliquot synodales factae 23. die mensis Martii, A. D. juxta ecclesiae Anglicanae computationem M.D.LXXXVI. per reverendissimum in Christo patrem et dominum, dominum Edwinum, providentia divina Eborum archiepiscopum, Angliae primatem et metropolitanum, aliosque praelatos Ebor. provinciae, et reliquum inferiorem clerum in sacra synodo in domo capitulari ecclesiae cathedralis et metropolitanae beati Petri Ebor. pro collectione et solutione cujusdam extraordinarii subsidii trium solidorum in qualibet libra, nomine benevolae contributionis serenissimae dominae nostrae reginae Elizabethae, etc. per eosdem archiepiscopum, praelatos, et clerum in dicta synodo congregatos, nono die dicti mensis Martii concessi.

Cum nos Edwinus, divina providentia Ebor. archiepiscopus, Angliae primas et metropolitanus, episcopi, praelati, ac clerus Eborum provinciae in sacra synodo provinciali, five praelatorum et cleri ejusdem Ebor. provinciae convocatione in domo capitulari ecclesiae cathedralis et metropolitanae beati Petri Ebor. praedict. 16. die mensis Octobris, A. D. M.D.LXXXVI. jam currente, inchoata ac celebrata, ac de tempore in tempus ex causis urgentibus et de diebus in dies continuata, congregati, post multa ibidem tractata die Jovis, 9. viz. die mensis praesentis Martii, M.D.LXXXVI. quandam benevolam contributionem trium solidorum pro qualibet libra illustrissimae et potentissimae principi Elizabethae, etc. (praeter et ultra subsidium sex solidorum in qualibet libra) concesserimus ex beneficiis et promotionibus nostris ecclesiasticis, sumptibus et expensis omnium nostrum colligend. et levand. infra proximum triennium persolvend. singulis viz. annis, durante illo termino, modo, forma, diebus, ac sub cautionibus et conditionibus in quodam instrumento publico inde confecto, et sigillo nostri Ebor. archiepiscopatus munito, dat. dicto nono die hujus mensis Martii, plenius liquet; cumque eadem serenissima domina nostra regina per literas suas patentes sub magno sigillo suo Angliae assensum suum regium eidem concessionem adhibuerit, et in eisdem suis literis patentibus huic sacrae synodo potestatem et au-

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toritatem canones et ordinationes synodales pro collectione et levatione dictae contributionis faciendi, promulgandi, et exequendi concesserit, ut per dictas suae majestatis patentes literas plenius apparet: ut igitur hujusmodi nostra concessio faciliorem et magis expeditum consequi possit effectum, utque omnes et singulae pecuniarum summae per nos singulis dicti triennii annis concessae, certius et commodius colligantur, ac terminis et locis suis ad usum dictae dominae nostrae reginae persolvantur;

I. Statuimus, ordinamus, et volumus, quod dicta contributio ab omnibus et singulis personis ecclesiasticis Eboracensis provinciae, quae vigore dictae concessionis contribuere tenentur, per collectores idoneos ad hoc per suos dioecesanos seu (sede vacante) per decanum et capitulum deputandos, modo et forma subsequenter levetur et colligatur.

II. Item, auctoritate praesentis convocationis five synodi ordinamus et statuimus, quod ante ultimum diem mensis Aprilis cujuslibet anni, qui in dictum triennium incidet, reverendissimus pater Eboracensis archiepiscopus, omnesque et singuli dictae provinciae Ebor. episcopi dioecisani et (sede episcopali vacante) decanus et capitulum collectores idoneos in omnibus locis exemptis et non exemptis, in singulis suis respective dioecesibus, ad dictam contributionem et quamlibet ejus partem modo, forma, et terminis

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nis infra expressis debite levandam et colligendam, juxta eorum arbitria et sanas discretionem, per literas suas patentes sigillis suis episcopalibus seu capitularibus respective munitas constituent, ordinabunt, et deputabunt, ac ipsos sic deputatos et eorum quemlibet (si fuerint ecclesiastici) ad hujusmodi collectionis officium suscipiendum per censuras ecclesiasticas, viz. per censuras interdicti aut excommunicationis sententias, ac per sequestrationem fructuum et proventuum beneficiorum, aut dignitatum, ac alia juris remedia, si hujusmodi onus subire recusaverint, coerceant, et compellant. De quorum quidem collectorum nominibus singuli episcopi supradicti et decani et capitulum reverendissimum patrem Ebor. archiepiscopum ante ultimum diem mensis Maii prox. sequen. debite et distincte in scriptis certificare teneantur.

III. Item, Quod collectores hujusmodi quolibet dicti triennii anno sic constituti et deputati, constituendi vel deputandi, hujus sacri concilii auctoritate plenam habeant potestatem omnes et singulos infra suae collectionis praecinctum hujusmodi contributionis solutione onerandi, in loco idoneo convocandi, et eos re ipsa singulis dicti triennii annis convocare teneantur ante 20. diem cujuslibet mensis Maii, illosque et eorum singulos ita convocatos et coactos monend. ut pecuniarum summas per eos solvendas ante 26. diem Junii tunc sequentis in aliquo loco commodo per dictos collectores assignando, infra collectionis suae limites plene et integre solvant.

IV. Item volumus, concedimus, et ordinamus, quod quilibet collector (si ecclesiastica fuerit persona) ad hanc contributionem vel aliquam ejus partem colligend. deputatus aut deputandus, omnes et singulos huic contributioni obnoxios et personaliter vel in valvis ecclesiarum, seu locorum, pro quibus hanc contributionem solvere tenentur, sufficienter monitos, et comparere ad dies praefixos et assignatos negligentes, vel non solventes, seu solvere recusantes, aut ultra diem solutioni praefinitum differentes, per censuras ecclesiasticas suspensionis, excommunicationis, aut interdicti, vel per sequestrationem et venditionem fructuum plenam solutionem faciend. efficaciter compellend. et coercend. ac etiam eosdem plene et integre solventes seu satisfaciendos, a quibuscunque censuris, sententiis, et poenis in ipsos et eorum quemlibet in ea parte promulgatis et inflictis, absolvendi, ac quemcunque processum contra non comparentes aut non solventes per eos factum, revocandi et relaxandi, auctoritate praesentis convocationis sufficientem habeant potestatem.

V. Item volumus insuper et praesentis convocationis auctoritate decernimus, quod omnes et singuli collectores (ut praefertur) deputati et deputandi, omnes et singulas pecuniarum summas collectas et levatas, seu quas recipere potuerunt, et negligenter omiserunt ante 20. cujuslibet Augusti mensis dicti triennii diem suis respective episcopis (sedibus plenis) et decanis et capitulis (sedibus vacantibus) sine aliqua monitione in ea parte eisdem collectoribus fienda, sub poena (si fuerint ecclesiastici) suspensionis,

excommunicationis, aut interdicti, ac per sequestrationem et venditionem fructuum suorum beneficiorum et dignitatum, et (si opus fuerit) per deprivationem per eosdem episcopos (sedibus plenis) vel per decanum et capitulum (sede vacante) infligenda, totaliter et integre solvant, seu solvi curabunt, ab eisdem episcopis, et decano, et capitulo respective ac quietantias idoneas pro summis hujusmodi solutis recipientes.

VI. Proviso semper, quod quilibet collector ante 20. diem mensis Julii quolibet anno praedictorum trium annorum, dioecesanum suum episcopum (sede plena) et decanum et capitulum (sede vacante) de nominibus ad dies praescriptos integre non solventium certius faciet, et per juramentum suum fidem praestabit, quod ab illis summas debitas levare et colligere non potuerit, neque possit, licet diligentiam suam in ea parte adhibuerit, ac contra non solventes modo et forma praescriptis processerit: in eo casu volumus, quod hujusmodi collector coram dicto suo ordinario (sede plena) vel decano et capitulo (sede vacante) ad fidem et juramentum suum praestandum in ea parte admittatur. Et si nec auxilio et auctoritate episcopi (sede plena) vel decani et capituli (sede vacante) nec diligentia sua per juris remedia suprascripta collector hujusmodi ante 20. diem mensis Augusti cujuslibet anni praedictorum trium annorum ab hujusmodi recusantibus vel differentibus summas debitas integre vel pro parte recuperare non possit; volumus et ordinamus, quod dictus collector vel totaliter vel pro ea portione, quam recipere non potuit, exoneretur, et liber dimittatur et acquietetur, et tunc episcopus (sede plena) vel decanus et capitulum (sede vacante) respective per juramentum collectoris ita certiorati ad reverendissimum patrem Ebor. archiepiscopum nomina omnium non solventium vel solvere differentium, sub sigillo suo autentico episcopali vel capitulari ante 20. diem mensis Septembris transmittet, sub poena sequestrationis vel deprivationis, arbitrio dicti reverendissimi patris cum consensu unius hujus provinciae episcopi per dictum reverendissimum patrem nominandi et accersendi, infligenda; et quod dictus episcopus ita nominatus, et per literas privatas manu dicti archiepiscopi subscriptas accitus comparere, et eidem archiepiscopo assistere, per omnia juris remedia per dictum archiepiscopum auctoritate hujus sacrae synodi compelli possit.

VII. Item volumus et statuimus, quod dictus reverendissimus pater omnes et singulos non solventes vel solvere differentes, dictis literis certificatoriis dicti episcopi (sede plena) vel decani et capituli (sede vacante) nominatos vigore hujus certificatorii (causa tamen et cognitione aliquali praehabita de veritate hujusmodi certificatorii) ab omnibus suis dignitatibus, praebendis, et beneficiis, pro quibus summas debitas non solverunt, privare et amovere per sententiam suam finalem et diffinitivam, omni appellatione remota, et pro amotis et privatis decernend. et declarand. auctoritate hujus sacri concilii provincialis plenam et sufficientem habeat potestatem et auctoritatem.

VIII. Item, auctoritate, qua supra, volumus, ordi-

ordinamus, et statuimus, quod omnes provinciae Ebor. episcopi (sedibus plenīs) et decani et capituli (sedibus vacantibus) ante 10. diem Octobris singulis annis dictorum trium annorum omnes pecuniarum summas tam per episcopos ipsos respectu episcopatum, et per decanos et capitula intuitu ecclesiarum cathedralium (sedibus vacantibus) quam ab aliis quibuscunque hujus benevolae contributionis solutione oneratas, levatas, et collectas, cuicunque aut quibuscunque per serenissimam dominam reginam ad hoc assignando vel assignandis sub suspensionis, excommunicationis, interdicti, fructuum sequestrationis, et venditionis, vel (si opus fuerit) privationis poena per dictum reverendissimum archiepiscopum cum consilio et assensu duorum confratrum suorum hujus provinciae episcoporum, tam contra dictos episcopos, quam contra ecclesias cathedrales et singulas earundem personas hujus contributionis solutione oneratas, infligenda, integre solvent vel solvi curabunt; et dictum archiepiscopum de integra summa soluta, et de acquietantia quacunque a receptore regio vel receptoribus regiis sic assignando vel assignandis ante 25. diem ejusdem mensis Octobris auctentice una cum nominibus illorum omnium denuo, a quibus summas debitas colligere non potuerunt sub poenis praedictis certificabunt, seu certificari curabunt.

IX. Et quia res cum suo onere transire debet, ordinamus et statuimus, quod si contingat dignitatum et beneficiorum praedictorum possessorem quemcunque (dicta contributione aut aliqua ejus parte non soluta) ab hac luce migrare, resignare, recedere, aut privari, quod tunc et in eo casu non solum successores in dignitatibus vel beneficiis hujus contributionis solutione oneratis per supradicta omnia superius in hisce ordinationibus provisā remedia solvere et satisfacere compellantur; verum etiam quod executores et administratores eorundem sic decedentium (si opus fuerit) et ipsimet resignantes, cedentes, et deprivati, juxta ratam portionem fructuum, quae ad manus suas eo anno pervenerint, per omnia legitima juris remedia ad hujusmodi contributionem et quamlibet ejusdem portionem solvend. compelli possint.

X. Item volumus, statuimus, et ordinamus, pro efficaciori et expeditiori hujus contributionis collectione, quod episcopi dictae provinciae Ebor. (sede plena) et decanus et capitulum (sede vacante) dignitatum et beneficiorum illorum omnium, qui ab hac luce (eadem contributione aut aliqua ejus parte non soluta) mortem obierint, resignaverint, cesserint, vel amoti aut privati fuerint, quamdiu eorum beneficia vacaverint, per sequestrationem, et venditionem fructuum, et emolumentorum talium dignitatum, et beneficiorum ita vacantium, integram contributionem, vel quamcunque ejus portionem non solutam levare et colligere auctoritate hujus convocationis licite valeant et possint. Quorum tamen conscientias oneramus ut (satisfactione secuta) quamprimum sequestrationes ob hanc causam interpositas revocent, et cum effectu relaxent.

XI. Volumus etiam, et auctoritate hujus syn-

odi decernimus et ordinamus, quod a censuris ecclesiasticis vel sententiis et decretis sequestrationum quibuscunque supra praemissis et per collectores et episcopos (sedibus plenīs) et decanum et capitulum (sede vacante) pronunciatis et promulgatis, nullus sit appellationi vel recusationi locus.

XII. Item volumus, ordinamus, et statuimus, quod nullus collector praesentis contributionis recipiet pro aliqua acquietantia facienda ultra duos denarios, nec pro censuris ullis aut sententiis suspensionis interdicti vel sequestrationis, et absolutione, et relaxatione earundem aut earum cujusvis ultra summam duorum solidorum; et quod quilibet collector infra praecinctum suae collectionis auctoritatem habeat compellendi apparitorem et apparitores ordinarios ejusdem praecinctus, ad monendos omnes et singulos hujus contributionis solutione oneratos ac onerandos, quoties occasio aut necessitas postulabunt.

XIII. Item hujus sacrae synodi auctoritate volumus et ordinamus, quod si in posterum aliquae dubiae ambiguitates, difficultates, aut querelae circa has ordinationes aut aliquem earundem articulum, vel circa modum aut formam collectionis hujus contributionis oriantur; tunc et in eo casu omnium hujusmodi dubiorum, ambiguitatum, difficultatum, et querelarum interpretationes et declarationes fiant per reverendissimum in Christo patrem archiepiscopum Ebor. et vestrum aliquem episcopum suffraganeum ejusdem: cujus quidem reverendissimi patris interpretationi et declarationi, ut praefertur, faciendae omnino stare et acquiescere auctoritate, qua supra, decernimus et declaramus.

Quibus quidem statutis, decretis, et ordinationibus publice perlectis, dictus magister Matthaeus Hutton, decanus et commissionarius antedictus, de consensu et assensu praefati magistri Willielmi Palmer, collegae sui praedicti, decrevit copias tam concessionis originalis hujusmodi benevolae contributionis et literarum regiarum patentium praedictarum, quam hujusmodi constitutionum et ordinationum reverendis patribus hujus provinciae episcopis, reverendissimi patris suffraganeis faciendas, et eisdem respective mittendas. Quod etiam fecerunt in hac forma verborum:

The letter sent to the three bishops.

Our duties unto your lordships remembred. In the convocation of the prelates and clergy of this province of York, holden here the ninth of this instant March (according to our bounden duties) with the advice and consent of your proctors and their substitutes, we have not only granted unto her majesty a subsidy of six shillings of every pound of our ecclesiastical promotions and livings in this province, payable in three years; the first payment to be due the second of October M.D.LXXXVIII. and so yearly for three years space; but also a contribution or benevolence, unto her highness's person only, of three shillings of every full pound of our said promotions and benefices, to be likewise paid in three years; the first payment to be due the first day of May next, and

and so yearly for three years; unto the which grant of benevolence her majesty hath not only yielded her royal assent with acceptance and allowance thereof, but also hath licensed and authorized us in our synod or convocation to ordain, devise, or make decrees and orders for the true collection and payment of the same, which we have done the 23^d. of this instant March in our said provincial synod (as by our first grant, her majesty's letters patent and orders, and statutes aforesaid, the several true copies whereof your lordships shall herewith receive, more at large and plainly appeareth.) We pray your lordships to have such care to the just gathering and faithful discharging of these things, due within your dioceses, as is re-

quired and looked for at all our hands, and as to our duty towards so gracious a sovereign every way belongeth, to whom we are no ways able to yield what is due. Your lordships shall do well to appoint clergymen to be collectors, such as be known to be sufficient in knowledge and ability to undergo this charge, for so is used in the other province. So betaking your good lordships to the almighty, we cease your trouble. York the 23^d. of March M.D.LXXXVI.

Your lordships assured in the Lord.

Matth. Hutton.
Will^m. Palmer.

Archiepisc. Cant.
JOH. WHITGIFT 4.

Anno Christi
1587.

Reg. Angliae
ELIZAB. 29.

A letter from the archbishop of Cant. to the bishop of Lincoln about Bibles in churches. E libro instrument. episc. Lincoln. fol. 65.

WHEREAS I am credibly informed that divers, as well parish churches, as chapels of ease, are not sufficiently furnished with Bibles, but some have either none at all, or such as be torn and defaced, and yet not of the translation authorized by the synods of bishops. These are therefore to require you strictly in your visitations, or otherwise, to see that all and every the said churches and chapels in your diocese be provided of one Bible, or more, at your discretion, of the translation allowed as aforesaid, and one book of Common Prayer, as by the laws of this realm is appointed. And for the performance thereof, I have

caused her highness's printer to imprint two volumes of the said translation of the Bible aforesaid, a bigger, and a less, the largest for such parishes as are of ability, and the lesser for chapels and very small parishes; both which are now extant and ready. And so I commit you to the tuition of almighty God. From my house at Lambeth the 16th day of July, M.D.LXXXVII.

Your loving friend,

JO. CANTUAR.

Archiepisc. Cant.
JOH. WHITGIFT 4.

Anno Christi
1587.

Reg. Angliae
ELIZAB. 29.

Statuta per dom. Johannem Whitgift, Cantuarien. archiepiscopum, edita et publicata. Ex MSS. Sancroft, arch. Cant. apud dom. episc. Assaven.

JOHANNES, providentia divina Cant. archiepiscopus, totius Angliae primas et metropolitani, dilectis sibi in Christo Bartholomaeo Clerk, legum doctori, almae curiae nostrae Cant. de arcubus London. officiali, Willelmo Awbrey, legum doctori, curiae nostrae audient. Cant. causarum et negotiorum auditori, Will. Drurye, LL. D. curiae nostrae praerogativae Cant. magistro, custodi sive commissario, aut in vestris absentiis legitimis vestris surrogatis, salutem. Experientia quotidiana comperimus, decursu temporis leges vel saluberrime latas, sive malitia hominum quotidie crescente, novasque cautelas comminiscende, sive pro diversa rerum et circumstantiarum varietate, novo subinde indigere auxilio, quod etiam in curiis sedis nostrae archiepiscopalis Cant. usu venisse, dudum ex frequenti nonnullorum querela deprehendimus. Hisce incommodis occurrere et mederi cupientes, et pro meliori nostrarum curiarum omniumque in eisdem versantium regimine, necnon pro celeriori justitiae expeditione atque administratione, statuta sequentia isto volumine comprehensa, chirographi

nostri subscriptione, et sigillo nostro archiepiscopali munita, maturo et deliberato consilio edenda curavimus. Vobis igitur praecipimus, ut in qualibet dictarum curiarum publice ea et praelegi et promulgari nostro nomine atque auctoritate quamprimum mandetis. Ubi vero exemplar illorum in auctenticam formam redactum in quibuslibet curiis nostris (quod intra terminum sancti Michaelis prox. plene perfici cupimus) transcript. et registratum fuerit; volumus ut originale hoc volumen nobis vel successoribus nostris tuto custodiendum retradatur. Firmiter autem injungendo mandamus, tam ut vosipsi ea observetis, quam ut ab advocatis, registrariis, procuratoribus, caeterisque dictarum curiarum ministris quibuscunque perimpleantur, in vigore juramentorum antea praestitorum et sub paenis hic expressis, summa cura invigiletis et elaboretis. Tenore nihilominus praesentium significamus, non esse intentionis nostrae veteribus ullis ullius curiae nostrae statutis, ullo modo auctoritatem abrogare, nisi qua ex parte hisce statutis repugnaverint, aut aliter immuta-

ta fuerint. Dat. in manerio nostro de Croydon vicefimo octavo die Julii, anno Domini, M.D.LXXXVII. regnique illustriffimae dominae noftrae, dominae Elizabethae, Dei gratia Angliae, Franciae, et Hiberniae reginae, fidei defensoris, etc. vicefimo nono.

CAP. I. *Circa judices curiarum de arcubus, audientiae et praerogativae fedis archiepifcopalis et metropolitanae Cantuar.*

I. Ad tuendam et loci, quem fufinent, dignitatem et aditum obftruendum ne quis in eadem caufa judicet, quam antea confilio aut patrocinio fuo adjuverit; officialis curiae Cant. de arcubus London. auditor caufarum Cant. archiepifcopi, magifter five commiffarius praerogativarum ejufdem fedis Cant. caufas publice non aget, aut difceptabit, neque honoraria aut fportulas hoc nomine unquam in pofterum accipiet in aliqua caufa publice vel privatim, quae in aliqua curia archiepifcopi Cant. ejufve fuffraganei epifcopi pendet, aut verifimiliter poffit pendere; nifi in caufis fedis archiepifc. aut ecclefiae Cant. fuis eorumve aut miferabilium perfonarum, quas jura indefensas non relinquant.

II. Nullum inhibitionis refcriptum in aliqua caufa correctionis emanabit, priufquam judici confiterit per infpectionem proceffus facti per judicem, a quo iuftum gravamen effet illatum; nifi apud acta liquide quis juraverit, copiam actorum in eo negotio in partibus geftorum fibi (etiam offerenti fumptus fcriptionis) prorfus fuiffe denegatam.

III. Non admittet judex aliquis libellum aut aliam quamlibet fcriptis conceptam materiam, quae non alicujus admiſſi advocati ad exercendum chyrographo fit fubnotata; nec in ulla caufa concludatur, nifi advocato fimul cum procuratore petente, aliter quam cum, ipfo facto, conclufionem fieri ftatuta ifta fubfequent. Sententia vero nulla feretur, quae non advocati, qui pro ea fteterit, manus fubfcriptione notatur. Quod fi quis nomen alterius in iftis falfo ad imitationem exprefferit, hunc ab omnibus fedis archiepifcopalis Cant. curiis cum infamia in perpetuum exulare jubemus.

IV. Si judex aliquis eam viderit in aliqua caufa ambiguitatem aut difficultatem fubefſe, quae fine confilio aliorum commode expediri non poteft; tum licebit hujufmodi judici unum vel plures ex maturioribus advocatis neutri litigant. a confilio in ea caufa fibi in affeſſores adjungere, et jurejurando astringere, de fideliter et fincere affiftendo, confilium praeflando, et hujufmodi munere obeundo; quodque in ifta caufa confilium antea non praefititint; et recufantes per fpacium unius integri termini a muneris fui exercitio fuspendere. Quod fi aliquem ex iudicibus aliarum curiarum in hoc munus in forma praedicta affiftendum putaverit, volumus eum hujufmodi munus non detrectare, fub poena per nos et fucceffores noſtros infligenda.

V. Ubi alicujus litigaturi inopiam et tenuitatem gravem eſſe noverit, judex hujufmodi advo-

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catum et procuratorem ei assignabit, qui gratis fideli confilio caufam ejus pro virili promovebit; quem fi judex ſegnem aut negligentem eſſe conſpexerit, graviter pro qualitate culpa increpabit, et (fi opus fuerit) ſevere etiam pro ſuo ſano arbitrio puniet.

CAP. II. *Circa examinatores, regiftrarios, actuarios, et eorum ſcribas.*

I. Praeter vetera ftatuta de examinatores, quae pene deſuetudine antiquata, denuo ad uſum omnium curiarum revocando cenſemus; volumus quemlibet iudicum ex regiftrarii et actuarii fui miniſtris et ſcribis inferioribus, quos maxime integros, exercitatos, maturique iudicii eſſe noverit (quoties opus fuerit) coram archiepifcopo ſiſtere; quo ipſe quos ex illis (cauſae cognitione praecedente) maxime idoneos repere-rit, huic examinandi negotio ſub juramento praeficere poſſit, ut actuarii ipſi hoc pacto onere ſaltem ſcriptionis levare poſſint.

II. Regiftrarii vel eorum deputati tam partes principales, quam teſtes qualibet in caufa aut ipſi interrogabunt, et examinabunt, aut ſaltem examini intererunt et praerunt.

III. Si caufa fit ex gravioribus, et non modici praepudicii coram ipſo iudice, ejufve ſurrogato (quo diſpiciat qua quidque vel trepidatione vel conſtantia dicatur) ipſam examinationem non repetitionem tantum nudam peragi volumus: teſtibus enim non teſtimoniis ſolum jura volunt adhiberi fidem.

IV. Regiftrarii, actuarii, et eorum ſcribae inferiores, ſi ſtipendia apparitoribus debita receperint, intra duas a receptione evolutas ſeptimanas, ea et recognoſcent, et annumerari facient. Qui ex regiftrariis vel actuariis hoc non praefititiffe fuerit convictus, duplum reddet; qui vero ex ſcribis inferioribus, locum amittet.

V. Prout caufa quaevis prior in regiftro poſita invenitur, ita diebus iudicis et expedietur; nifi gravis caufa iudicem in contrariam partem aliquando urgeat. Et ut cauſae fine vociferatione aut ſtrepitu (quoad fieri poſſit) poſſint expediri, ſi ſedente iudice publice in curia et cauſas expediente, aliquis procurator iudicem interpellet ad quamcunque cauſam audiendam, cujus acta, petitiones, et proteſtationes utriusque procuratoris continetia, non ſint per regiftrarium, actuarium, aut aliquem alium tunc acta ſcribentem, in ſcriptis prius redacta, ad iudicis uſque decretum interponendum; cuilibet ſic peccanti ſilentium imponatur, per tres dies iudicis prox. inſequentes.

CAP. III. *Circa partes principales.*

I. Nec regiftrarius nec examinador aliquis permittet litigatori perſonalem ſuam reſponſionem in ſcriptis antea de confilio alicujus iuriſconfulti conceptam interponere; ſed potius (quo omne perjurii vitetur periculum) partem principalem ſingillatim de unoquoque articuli membro interrogando veritatem facti pro virili elicere conabuntur; nifi judex pro perſonae et cauſae qualitate aliter expreſſe decreverit, vel ſignificaverit.

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II. Ad

II. Ad vitandam etiam temerariam illam, crebramque juramenti violationem, quam inde oriri saepenumero perspicimus, quod pars principalis aut ejus procurator ad exhibita respondere solet nimis generaliter; utputa (aliter non credit articulum esse verum in aliquo, etc.) dum non satis attendit, aut intelligit, quid sub illa generalitate affirmationis vel negationis comprehendatur, quamve late patet. Idcirco pars principalis vel ejus procurator super positionibus libelli, allegationis vel materiae cujuscunque, vel etiam super allegatione vel exhibitis quibuscunque in vim juramenti examinati ad aliquam partem eorundem posthac non respondebunt in genere, uti haecenus fieri consuevit, sed ad singula separata membra in eisdem contenta specificet et separatim respondebunt, affirmando vel negando per verbum credit, vel non credit, vel hujusmodi. Et si aliquam responsionem ita generalem fieri contigerit, ea pro imperfecta habebitur, sumptibusque ipsius respondentis tam citationis, monitionis actorum et novae examinationis, quam aliorum dictam reformationem quovismodo concernent. emendabitur. Quod si festinatione vel culpa solius examinantis acciderit, tunc ipsius sumptibus et periculo reformabitur.

CAP. IV. Circa procuratores.

I. Nullus posthac in aliqua causa postulabit, nisi in ipso primo litis ingressu suo, reipsa vero et sufficienti fulciatur procuratorio. Sufficiens vero vocamus, quod per publicum instrumentum coram notario, authenticum instrumentum coram eo, ad quem spectat sigillum, et parte constituyente literatorie, vel apud acta vel per fidejussores aut cautionem de rato conficitur; eaque omnia procuratoria quamprimum tuto condi et asservari in publicis ejusdem curiae scriniis curabit registrarius. Qui ex registraribus vel procuratoribus secus in istorum aliquo fecerit, suspensione ab exercitio officii sui absque omni spe restitutionis per integrum annum ferietur.

II. Ad minuendas et consopandas lites, necnon litigatorum obloquia tollenda, qui causa cadunt, nolumus procuratorem causam ullam absque alicujus advocati consilio suscipere, et per duos dies juridicos retinere, sub poena suspensionis ab exercitio etiam per annum. Nec judici licebit hujus aut prioris poenae gratiam facere, inconsultis nobis aut successoribus nostris.

III. Procurator una cum advocatione disceptationibus causae ad informationem judicis institutis interesse semper tenebitur, quo facilius et actorum in curia et totius causae merita in facto consistentia per ipsum possint declarari, sub poena suspensionis ab officio per sex dies juridicos continuos. Et si procuratorum ullus judicis mandato pro causarum expeditione accersitus in foro vel extra, venire recusaverit, aut malitiose vel contumaciter distulerit, simili suspensione ferietur. Et si judex fuerit negligens aut connivens, ipse puniatur simili poena.

IV. Procurator, qui salaria sive honoraria a domino suo judici, advocatione, registrario, vel actuario destinata, aut de consuetudine debita, ad expediendam quamprimum causam, non ex-

posuerit, sed in proprios usus cum domini sui aut aliorum damno converterit, vel detinuerit per mensem, ab exercitio perpetuo removeatur. Et ut amice et honeste invicem vivatur, et suum cuique (prout jus et justitia postulant) tribuatur; statuimus quod procuratores sua mercede suisque stipendiis sint contenti; nec judices, advocatos, aut registraribus nostros, aut actorum scribas salariis, feodis, aut stipendiis eis jure vel consuetudine debitis et solvi consuetis defraudent. Quodsi quis procuratorum aut eorum servientium aut scribentium ministrorum reliquas copias actorum, responsionum, depositionum, interrogatorum. Computorum, sententiarum, aut aliarum quarumcunque, quae ex registro peti et exscribi solebant aut deberent, parti suae cum exactione alicujus mercedis aut pretii, vel parti adversae seu ejus procuratori, consiliario, sollicitatori, aut rerum gestori praestiterit, aut mutuaverit, in defraudationem et praejudicium registrariorum nostrorum, omnes et singulos procuratores ita delinquentes tam pro delicto suo proprio, quam servient. suorum quorumcunque ab exercitio perpetuo amoveri volumus.

V. Licet juramenta, calumniae, malitiae de veritate allegationis et responsionis legibus imperentur; quia tamen saepe jurans aliquando perjurat, laxatis nimium hac tempestate timoris divini repagulis; volumus in manifesta calumnia deprehensum, poenam suspensionis per duos integros terminos incurrere, eumque qui bis similiter deliquerit, loco inperpetuum moveri.

VI. Si procuratorum, registrariorum, actuariorum, scribarum, seu inferiorum ministrorum aliquis depositionibus testium, responsis partium, actis curiae, vel in eadem exhibitis quibuscunque aliquid addendum vel minuendum dolo malo curaverit, addiderit, vel minuerit; inperpetuum ab exercitio et curiis nostris ad decretum judicis curiae cum infamia exulabit. Et ut hujus facinoris periculum tutius possit evitari, monemus registraribus nostros ne in posterum quicquam inspicere, contrectari aut exscribi sinant, nisi sciente, spectante, et praesente registrario curiae, seu aliquo ex fidelibus et juratis suis scribis, aut ministris; neve posthac libros actorum, examinationum, aut aliqua alia exhibita instrumenta sive munimenta cuivis extra parietes domus registrarii aliunde deferri patiantur, nisi judex pro celeriore causarum expeditione ad instantiam alicujus (salva mercede et salario in ea parte debito et idoneo) aliter fieri jusserit et postulaverit. Et illud quoque fieri prohibemus, nisi registrarius ipse aut aliquis ex ejus fidelibus et juratis ministris hoc, quod petitur, ad judicem deferat.

VII. Quia jus dici consuevit et convenit in curiis audientiae et praerogativae Cant. ipso die curiam de arcubus immediate subsequente, experientiaque compertum est, procuratores omnes in qualibet dictarum curiarum exercentes singula dominorum suorum negotia commode expedire non posse; unde dilationes et scandala nascuntur; quodque clamores importuni et confusi suscitantur, cum tot simul in una curia vociferantes, judicis, advocatorum, et astantium quorum-

quorumcunque aures indecore nimium fatigant; necnon plurimas indignitates et insolentias iudices hac ratione perferre coguntur, in quas alioqui severius animadvertere deberent: ad hujusmodi igitur incommoda vitanda, exemplis etiam, quae in quolibet celebriori totius regni foro observantur, inducti, statuimus et ordinamus, quod ex numero illorum procuratorum, qui nunc sunt, decem duntaxat per nos nominandi in curia de arcubus, decem in curia audientiae, et octo in curia praerogativae postulabunt et exercebunt, et quod hii, qui nunc sunt procuratores admissi, juxta distributionem a nobis fiendam operas suas in posterum accommodabunt et negotia procurabunt; quodque non licebit illis, qui singulis dictarum curiarum sunt assignati, aut posthac assignabuntur, extra curiam sibi assignatam et addictam procuracionem ullius negotii, aut causae suscipere vel prosequi, sub poena amissionis sui loci et officii procuracionis. Atque ut hoc statutum lubentius et melius observetur; statuimus cum numerus procuratorum exercentium, qui nunc sunt, ad viginti decreverit, ut in posterum numerus ille viginti procuratorum nullo modo augeatur aut excedatur; et quod ex vicenario hujusmodi numero, octo curiae de arcubus, octo audientiae, et quatuor praerogativae ad nominationem nostram et successorum nostrorum ascribantur; quodque omnes admissiones supernumerariae forte fiendae, erunt ad omnem effectum inanes et nullae.

CAP. V. Circa ipsas causas earumque accidentia.

I. Si iudex de arcubus aut audientiae, appellatione vel detectione non praecedente in aliquo negotio correctionis, contra quemcunque subditum alicujus suffraganei nostri processerit; volumus ut sine expresso consensu nostro aut successorum nostrorum poenam corporalem in pecuniariam nullo modo commutent: et ut semper tam in hoc casu, quam in aliis correctionum causis omnibus poenam canonicam et corporalem injungant, aliqua saltem ex parte peragendam in loco, ubi conventus deliquerit, vel tempore poenitentiae commorabitur; sub poena graviore per nos in delinquentem iudicem infligenda.

II. Multa eaque gravia et perniciose scandala inde oriri quotidie videmus, quod divortia a thoro et mensa cum consensu partium aliquando permittuntur, nullo praecedente reconciliationis tractatu, aut imbecillioris aetatis earum respectu habito. Nulla ergo posthac (nisi tentatis prius omnibus reconciliationis modis, idque gravi urgente necessitate) separatio, ne cum consensu quidem partium concedatur; idque omisso prorsus (divortii) vocabulo, quo constare eis possit facilius, tantum secubandi, donec amicitia refarciri possit, non ad novas nuptias convolvendi facultatem hoc casu indulgeri.

CAP. VI. De processu judiciario et dilationibus in eo tollendis.

Quia (dedita quasi opera) nimium multae et frivolae dilationes ad grave litigant. detrimentum, graveque juris ecclesiastici scandalum im-

petrantur et usurpantur; quo tam gravi malo remedium opportunum apponi possit, sequentia statuta exacte observari volumus.

I. Quicumque dilatoriam aut peremptoriam materiam allegaverit, et in probatione prorsus defecerit, expensas eo usque in causa factas sine mora infra terminum per iudicem assignand. repraesentari et persolvi curabit, sub poena audientiae deneganda in illa causa; praeter et ultra alia remedia de jure quovismodo in ea parte provisae.

II. Nullus iudex allegationem vel materiam aliquam in scriptis conceptam, nisi simpliciter (omissa hac adjectione, "quatenus de jure") posthac unquam admittet; in quem finem in prox. diem juridicum deliberabit, num de jure admittenda vel rejicienda fuerit.

III. Proximo die juridico post libellum exhibitum et admissum, proponuntur omnes defensiones aut exceptiones contra libellum, sequente vero die replicationes, tertioque duplicationes (si quae fuerint) et sic deinceps absque omni intercapedine temporis. Ad quae omnia probanda non alium terminum quam eundem quo ad libellum probandum sunt usuri, praefigi jubemus; intra quem etiam ad summum terminum et non postea, partes principales examinabuntur.

IV. Quodsi vero pars principalis non ita plene responderit, quin denuo interrogandus et examinandus fuerit, hocque culpa sua factum fuerit; tum monitionis ad plenius respondendum, examinationis et retardati processus sumptus ipse dependet; sin examinatoris et actuarii culpa acciderit, tum pro examinatione processu aut actis illis scribendis nihil omnino accipiet.

V. Nullus iudex ultra tres vel ad summum (ubi gravissima subest causa) quatuor dies probatorios libelli decernet. Quodsi procurator causae terminum ad probandum petere forte omiserit, aut prudens sciensque post litis contestationem distulerit; tunc totidem dies termini probatorii de numero praestituto decidentur, per quot ipse cessaverit a postulando termino probatorio.

VI. Cum probatio per testes mediante commissione instituenda necessario fuerit; commissio hujusmodi post primum diem termini probatorii non assignabitur; eaque tunc nihilominus expressa lege, ut citra finem termini prox. tunc sequentis expedienda statuatur; nisi aut commissio circa finem termini paschal. decreta fuerit, aut alia iustissima causa longioris morae iudici (causa cognita) videatur necessaria: quam causam in actis etiam inseri volumus.

VII. Nullam commissionis revocationem, repetitionem, allegationem, vel materiam quamcunque sub nudo procuratoris juramento (juxta informationem sibi traditam) decerni vel admitti permittimus; quin potius summaria aliqua unius diei probatione causa impedimenti commissionis liquido constabit, priusquam renovationem mandati decernet.

VIII. Ultimo die termini probatorii compulsores pro testibus non decernentur. Quodsi unicus forte testis requisitus pertinaciter aut abfuerit aut excommunicatus perstiterit, nec causa integra

integra nec publicatio aliorum testium idcirco differetur; quin potius iste testis quodcumque ante conclusionem in causa hoc in casu examinabitur, si pars producens juraverit sese aliorum testium productorum dicta interea non didicisse.

IX. Posthac nulla exceptio generalis contra testes apud acta solum (quae dicis tantum causa interponitur) admittetur, nec terminus hac in parte ad probandum assignabitur; omnes enim exceptiones contra personas testium inter eorum productionem et publicationem, errata vero et defectus (si qui fuerint) in eorum testimoniis proximo post publicationem die in scriptis specialiter proponentur, idque rejecta omni additionali postea materia; intra quem etiam terminum omnem aliam seu exceptivam seu peremptoriam materiam proponent.

X. Ad proband. quamlibet materiam five exceptivam five peremptoriam duos post exhibitionem earundem dies tantummodo elargimur; intra quos etiam materiam ad corroborandos testes et proponi et probari jubemus, nisi ob distantiam locorum vel gravitatem causae aliter judici videbitur; quam tamen causam in actis specialiter exprimi volumus.

XI. Proximo post terminum quemque probatorium evolutum juridico die, testium prius examinerum dicta (licet hoc non petatur) publicata ipso facto habebuntur, interposito judicis decreto in hunc finem; atque insequens publicationem dies pro termino assignato ad omnia proponend. similiter (ipso facto) computabitur, quem etiam judicem decernere omnino volumus; tertiusque a publicatione dies, absque omni procuratoris petitione (ipso facto) causam concludet; si nihil interea sufficiens ad impediendum conclusionem fuerit propositum.

XII. Assignationes ad audiend. voluntatem judicis ante omnia alia, tempore informationibus judicis praefinito, aut proximo saltem die juridico expedientur, praesente et avvocato et procuratore causae.

XIII. Aequum esse censemus in designandis informationum diebus, ut judices, qui priores causas audiunt hujusmodi, inter suorum tribunalium dies juridicos interjectum aliquod tempus huic negotio praefigant; quo et iudicibus aliorum tribunalium aliud idoneum tempus tribui possit, respectu semper intercedentis medii temporis inter omnes omnium curiarum dies juridicos habito, ne et curiae et informationes in idem tempus concurrant.

XIV. Informationum tempora ita per iudices temperari volumus, ut infra terminum integrum conclusionem causae sequentem, definitiva semper feratur sententia, nisi forte causa et perplexa valde et gravissimi alioqui sit momenti: quae hoc in casu initio insequentis proximi termini absque omni ulteriori mora feretur.

CAP. VII. Circa decori observationem.

I. Iniquum esse iudicamus, ut actuarius alicujus curiae pro concipienda et in scripta redigenda sententia definitiva plusferat quam iudex, cui praeter loci, quem sustinet, dignitatem et impensas grandiores, onus etiam totius causae in-

cumbit; ideoque volumus ut posthac contributione totius, quod et iudex et actuarius curiae de arcubus hoc nomine recipiunt inita, iudex dimidium ad minimum ferat.

II. Ad inscitiam et desuetudinem linguae Latinae exterminand. multorumque ineptam petulantiam et garrulitatem cohibend. aliaque plurima incommoda vitanda, cum scripta omnia qualibet in curia archiepiscopi Cant. Latina lingua concipi (idque quod ab imperitis et plus nimio festinantibus fieri praecipue videmus) absque omni syllabarum in fine dictionum amputatione, nisi ea (vel hoc solum nomine) rejici velint; tum etiam iudices et ministros quosvis in sermonibus ultro citroque inter se ibidem habendis, nullam aliam linguam volumus usurpare, sub poena pro arbitrio domini archiepiscopi in iudices hac in parte delinquentes; in alios quoslibet suspensionis ab exercitio per unum diem juridicum pro prima vice, per tres pro secunda vice, et integrum terminum pro tertia, per sex menses pro quarta per ipsos iudices infligenda.

III. Procuratores erga advocatos et registra- rios; inferiores scribae et ministri erga actuarios et procuratores; omnesque erga iudices tum alibi semper, tum in jure et pro tribunali praecipue demisse et reverenter (prout par est) sese gerant; alioquin suspensione ab exercendo vel pecuniaria multa, ad veterum statutorum praescript. pro nummariis multis, distribuend. pro iudicis arbitrio ferientur. In quem etiam finem utile illud statutum de informationibus et allegationibus advocatorum iudices observari curare volumus, quatenus istis statutis non repugnaverit.

IV. Ut clientes ipsi et procuratores melius instruantur in jure et causae suae meritis; utque dignitati iudicis (melius quam antehac fieri consuevit) consulatur; nolumus ullum advocatorum tempore curiae audientiae vel praerogativae in superiorem subsellii partem, ubi iudex ipse confidet, sese ingerere. Volumus etiam, ut quodcumque advocatus aliquis iudicem in negotio, de quo lis agitur, alloquitur, consistens in alterutro latere et non in superiori parte subselliorum, ubi iudicis tribunal situm est, clara voce, quae a procuratoribus, clientibus, caeterisque astantibus audiri possit, et Latina etiam lingua clientis sui negotium agat.

CAP. VIII. De vicario generali archiepiscopi.

Nullus iudex facultatem ad concionandum alicui concedet, ullumve in ecclesiastica aliqua promotione vel beneficio instituet, nisi consultus prius dominus archiepiscopus id muneris ei mandandum tunc censuerit; sin vero facultas aliqua aliter fuerit impetrata, ipso jure habebitur irrita.

CAP. IX. De officiali de arcubus et iudice audientiae.

Satisfactiones publicas ecclesiae, grandi aliquo scandalo laesae, quae in eum finem comparatae sunt, ut qui prolapsionis, iidem poenitentiae et resipiscentiae testes esse possint, in crimine praecipue incontinentiae in solas nummarias multas commutari posthac volumus; nisi et hujusmodi

jusmodi subfit causa quae domino archiepiscopo, causa cognita, videatur gravissima; et qui deliquerit (si crimen publicum factum fuerit et notorium) publice in ecclesia, ubi maxime commoratur, tam dolorem suum pro peccato perpetrato, quam illud, quod ad istum dolorem, et emendationis propositum uberius indicandum in pios usus erogaverit, recognoscat; aut saltem per ministrum ecclesiae (si ita ordinario videbitur) hoc publice coram omni populo renuncietur.

II. Sententiam vero hujusmodi mulctarum et modum erogandi in acta publica redigi, pecuniamque integram ad oeconomos et collectores pro pauperibus ejusdem parochiae ad praescriptum ordinarii per eosdem distribuendam, transmitti jubemus: cujus distributionis peractae rationem iidem per manuum suarum subscriptionem ordinarium facient certiore. Judex autem, qui in aliquo istorum deliquerit, vel excesserit, ab officii exercitio suspendetur arbitrio archiepiscopi.

III. Nullus ad aliquod beneficium ecclesiasticum quovis praetextu posthac mandabitur induci, in cujus possessione alius per spatium unius anni antea fuerit; antequam is, qui de facto id possidet, vocetur, iudicique dictum beneficium de jure vacare constiterit.

IV. Nullus, qui [per] duplicem querelam intentaverit, admittetur ad beneficium per aliquem iudicem archiepiscopi, donec, causa cognita, dominus archiepiscopus id permiserit.

CAP. X. Circa curiam praerogativae.

I. Ex statutis istis ea praecipue quae decorum respiciunt, et ad dilationum moras tollendas sunt comparata, in curia etiam praerogativae, observari jubemus.

II. Administratio bonorum ante quatuordecim dies a morte intestati, aut per vitam intestati decedentis, evolutos, nemini mandabitur: quo intra illud tempus sciri possit, num ultima aliqua voluntas reperiatur, aut num aliquis alius fuerit, cui de jure potius sit committenda; atque interea etiam nullae literae ad colligendum mandabuntur.

III. Si cautio apud acta proponatur, ne voluntas ultima seu testamentum approbetur et infinetur, neve administratio mandetur; tunc neutrum eorum fiet, donec is qui cavendum esse voluerit, vocetur ad allegand. si quam habeat impedimenti causam, ipseque nihilominus aliquid proponere neglexerit.

IV. Secunda auctoritas administrandi cujusvis defuncti bona non mandabitur, donec primae literae administrationis revocatae fuerint in potestatem iudicis vel irritae pronuntiatae.

V. Quibus administrandi facultas, literaeve ad colligend. mandantur (quas quidem literas ad colligend. rarissime, et non nisi gravissima causa urgente, idque sub locupletissimis fidejussoribus concedi volumus) maxime vero ubi eorum interesse vertitur, qui sunt juniores; volumus idoneis satis et locupletibus fidejussoribus adhibitis in scriptis cavere de bonis defuncti fideliter administrandis, et de archiepiscopo suisque indemnibus praestandis.

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VI. Praeterea tam hujusmodi scripta et nomina, quam omnia alia qualibet in curia archiepiscopi Cantuar. confecta, et conficienda tuto inter publica archiva asservabuntur, et in eorum usus cedent, quorum maxime postea interesse constiterit.

VII. Si registrarius sive actarius ullius curiae vel inferior aliquis scriba exigere usitatas, vel hisce statutis praestitutas in scriptis obligationes sciens prudensque omiserit, immutaverit, interleverit, ex archivis surripuerit, reove promittendi, vel ejus execut. administrat. aliive dolo malo tradiderit, aut si potestatem inventarium non exhibendi indulserit, aut cum cessantibus hac in parte connivendo, colluserit; ab omni cujuscunque muneris, curationis aut ministerii exercitio in aliqua curia archiepiscopi Cantuar. inperpetuum suspendetur.

VIII. Si quisquam ministrorum alicujus curiae alieno nomine testamentum approbari, literasve administratorias vel ad colligend. decerni curaverit, non munitus procuratorio vero et sufficienti; per annum ab officio suspendetur. Qui bis deliquerit loco inperpetuum, movebitur.

CAP. XI. De delegatis iudicibus per principem.

Licet archiepiscopus in causis per principem delegatis nullum jus aut interesse habeat, quia tamen delegati plerumque e iudicibus, advocatis, aut exercentibus in curiis archiepiscopi seliguntur: si quisquam ex praedictis qualibet in causa delegationis munus in se susceperit, alterutriusque litigatorum hoc exigenti, juramentum hujusmodi subire recusaverit, aut neglexerit; videlicet [quod neutri litigatorum illa in causa ipsum de jure per se vel alium consulenti unquam responderit, vel honorarium seu quid aliud eo nomine acceperit] et nihilominus illam causam, non interposito hujusmodi requisito juramento, audire vel terminare perceperit; tunc ipso facto ab omni inposterum muneris sui exercitio in aliqua curia archiepiscopi Cantuar. penitus secludatur.

CAP. XII. Generalia quaedam statuta.

I. Quisque iudex, advocatus, vel procurator exercens, aut ad exercendum admissus, vel registrarius, actarius, aut inferior scriba, in ulla curia archiepiscopi Cant. qui etiam iudicis delegati per principem aut exercentis unquam munere fungitur, ut advocatus, procurator, actarius, vel inferior scriba coram delegatis vel in curia episcopali London. curia decani et capituli sancti Pauli, curia ullius archidiaconi jurisdictionem suam intra civitatem London. exercentis, sive in curia archidiaconi Surriensis, sub poenis vel hisce statutis praestitutis, vel pro arbitrio superioris infligendis tam vetera statuta non antiquata nec aliter immutata, quam ista omnia jam lata, quatenus quemque attingunt, qualitasque causarum patietur, in curiis et consistoriis omnibus praedictis respective observabit et observari curabit, quo aequalitas et *Commutatio* quaedam in curiis omnibus tanta necessitudine conjunctis retineri possit.

II. Qui ad labes morum et errores in aliis

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corrigendis adhibentur, absurdum est ut vel tenuissima perversae alicujus opinionis suspicio penes ipsos resideat; ideoque quilibet judex, advocatus, registrarius, actuarius, examinatus, procurator, aliisque minister ullius curiae archiepiscopi Cantuar. antehac admissus sub poena amissionis loci sui publice in aliqua curia archiepiscopi Cant. in qua exercet, vel ad exercendum est admissus, iudice pro tribunali sedente, temporeque juridico intra tres septimanas ab horum statutorum promulgatione evolutas, si adfuerit tam juramentum corporale de primatu dominae reginae, juxta leges ea in parte editas (si antea ibidem non praestiterit) subibit; quam etiam articulos religionis per clerum utriusque provinciae ad opinionum varietatem tollendam, anno millesimo quingentesimo sexagesimo secundo propositas, publice perleget, vel se perlegisse sincere tum profitebitur; necnon indubitatum assensum suum eisdem utpote veris, et cum verbo divino omnino conspirantibus, cum viva voce tunc et ibidem, tum manus etiam propriae subscriptione profitebitur; alioquin ab exercitio et omni consortio curiarum archiepiscopi prorsus removebitur. Idem etiam juris ante admissionem cujuslibet retinebitur.

III. Quilibet judex ullius curiae archiepiscopi Cantuar. tam vetera suae curiae statuta omnia non abrogata per leges hujus regni, nec hisce statutis aliter immutata, quam statuta ista sub gravi poena per archiepiscopum infligenda et observabit ipse, quatenus ad se spectant, et ab aliis etiam omnibus cujuslibet (respectu) curiae ministris observari curabit.

IV. Si de vero sensu vel veterum vel alicujus horum statutorum eruendo emerferit scrupulus; quaeve poena judicem delinquentem teneat (ubi nulla exprimitur) dubitetur; per ipsum dominum archiepiscopum expeditur. Sin delinquens ex advocatis aut inferioris ordinis ministris fuerit, nec certa poena adversus eum hic sit praefinita; tunc arbitraria poena per judicem ejus curiae, in qua ejusmodi advocatus vel minister exercuerit, mulctabitur. Qui vero bis vel mulctatus vel admonitus non resipuerit, sed in idem aut gravius erratum prolabitur, ad dominum archiepiscopum aut plectendus, aut loco movendus per judicem remittatur.

In quorum omnium fidem et testimonium huic praesenti statutorum volumini manus nostrae subscriptionem et sigillum nostrum archiepiscopale apposuimus. Dat. die et anno superscript.

JO. CANTUAR.

CAP. XIII. *Confirmatio statutorum praedictorum per decanum et capitulum.*

Et nos decanus et capitulum ecclesiae cathedralis et metropoliticae Christi Cantuar. hoc praesens scriptum sive volumen statutorum per praedictum dominum Johannem, providentia divina Cantuar. archiepiscopum, ut praefertur, factum et editum, necnon praedicta statuta,

ordinationes, et decreta, ac omnia et singula in eisdem contenta et specificata, prout in isto volumine scribuntur et recitantur, quantum in nobis est, auctoritate nostra ratificamus, approbamus, et confirmamus per praesentes. In cujus rei testimonium nos praedicti decanus et capitulum sigillum nostrum commune praesentibus apposuimus. Datum in domo nostra capitulari nono die Octobris, anno Domini M.D.LXXXVII. annoque regni serenissimae dominae nostrae Elizabethae, Dei gratia Angliae, Franciae, et Hiberniae reginae, fidei defensoris, etc. vicefimo nono.

CAP. XIV. *Appendix et explicatio statuti (Cap. IV. § VII.) de numero et distributione procuratorum in curiis nostris archiepiscopalibus exercentium*.*

I. Johannes, providentia div. Cantuar. archiepiscopus — dilectis sibi Bartholomaeo Clerke, LL. D. curiae nostrae Cantuar. de arcubus London. officiali, Will. Awbrey, LL. D. curiae nostrae audientiae Cantuar. causarum et negotiorum auditori, et Will. Drury, curiae nostrae praerog. Cantuar. magistro, custodi sive commissario et eorum cuilibet, salutem. Cum ad incommoda plurima evitanda, recenti statuto sancitur, distributionem procuratorum peculiaribus curiis ineundam necessario videri: ut igitur quod adhuc in votis habemus, optatum suum effectum melius citiusque fortietur; sic de novo statuendum, interpretandum, emendandum, et a vestrum singulis in curiis nostris, quibus respective praestis, diebus juridicis proxime et immediate sequentibus, publice promulgandum et publicandum duximus, et tenore praesentium mandando committimus.

II. Aequissimum inprimis esse censemus, ut nullus procurator per nos vel successores nostros ad exercendum in posterum admittatur, donec infra quindenos (nedum infra videnos) totus procuratorum numerus substituerit; ideoque volumus neminem admitti ad exercendum, donec ad eum numerum deveniatur. Ex illis autem quindecim procuratoribus exercentibus cum aliquis desiderabitur, tum qui ex non exercentibus admissione fuerit proximus, ante alios omnes in locum sic vacantem, si voluerit, sufficietur; nisi locus vacuus ex illis forte tribus fuerit aliquis, qui astringuntur praesenti sanctione ad voluntariae tantum jurisdictionis negotia in foro praerogativae procuranda: ad hujusmodi enim praeter aliis omnibus aliquem semper assignari cupimus, qui in curia de arcubus vel audientiae registrarii aut actuarii munere fungitur, modo numero procuratorum exercentium antea fuerit aggregatus; ut ita (quantum fieri potest) nullus registrarius aut actuarius ullis contentiosae jurisdictionis negotiis prosequendis a suo munere praecipuo distrahatur.

III. Ad expediendum enim causas omnes in curia praerogativae, quae sunt jurisdictionis voluntariae, tres tantum ex procuratoribus deputandos esse censemus; quos alii cuilibet causae in aliqua curiarum nostrarum procuranda ope-

* The original in parchment with a fair seal to it, is in the king's paper office at Whitehall.

ram collocare non permittimus. Huic autem muneri, ex iis qui nunc sunt procuratores, Guilielmum Bedell, Edwardum Orwell, et Thomam Wheler, praeficimus. Horum cuilibet, valetudinis aut absentiae causa, aliquem alium ex xii. reliquis senioribus procuratoribus suo loco (dum impedimentum hujusmodi duraverit) licebit substituere.

IV. Ad prosequendas vero lites in curia praerogativae, quae sunt jurisdictionis contentiosae, xii. tantummodo procuratores in posterum semper adhiberi permittimus: quem duodenarium numerum ex reliquis illis procuratoribus, qui inter caeteros admissione sua maxime sunt seniores propter causarum plerumque in ea tractatarum gravitatem, confici jubemus. Ita tamen, ut cum ex xii. illis locus aliquis postea forte vacaverit; is, qui ex jam exercentibus vel in posterum ex non exercentibus admissione fuerit proximus, in locum sic vacantem suo ordine succedat.

V. In curiis autem de arcubus ac audientiae ad formam distributionis huic sanctioni subjunctam procuratores omnes nunc exercentes (praeter tres illos antea nominatos) operas suas in posterum respective accommodare volumus. Nec licebit alicui extra curias sibi hic assignatas et addictas, procuracionem ullius negotii aut causae suscipere, vel etiam, post septem dies continuos ab hujus promulgatione proxime insequentes, prosequi sub poena amissionis sui loci et officii procuratoris. Hoc autem ut quamprimum executioni debitae mandetur, volumus quolibet procuratores, qui negotia ulla gerenda jam ante susceperint in aliqua curia, quam cui hac nostra constitutione sunt ascripti (in quibus causis per contestationem domini litis sunt effecti) in aliquem alium quem voluerint, illius curiae in qua causa tractatur, procuratorum quamprimum hujusmodi negotia transferre.

VI. Nullus in curiis de arcubus vel audientiae in locum aliquem, qui in posterum vacaverit, admittetur procurator, donec in utralibet

earum numerus infra sex procuratores decreverit. Quando autem aliquis ex sex procuratoribus in alterutra illarum curiarum desiderabitur; qui inter non exercentes tunc fuerit admissione proxime senior, in locum vacantem succedet: sicque brevi fiet, ut praeter illos tres, qui in curia praerogativae voluntariae jurisdictionis negotiis expediendis destinatur, totus ordo procuratorum exercentium in duodenario numero semper in posterum consistat. Qui quidem duodecim licet omnes in foro contentioso praerogativae exercere poterunt; sex tamen ipsorum curiae de arcubus, reliqui vero sex audientiae peculiariter et separatim in procuratorio gerendo munere inservient.

VII. Duodecim maxime seniorum, qui in foro curiae praerogativae procurabunt, nomina sequuntur: Thomas Willet, Christoferus Smith, Petrus Johnson, Franciscus Clerke, Laurentius Swynborne, Johannes Burrough, Anthonius Lawe, Johannes Theaker, Galfridus Clerke, Tho. Redman, Stephanus Staple, Edwardus Willett.

Nomina illorum, qui in curia de arcubus et non in curia audientiae procurabunt: Christoferus Smith, Franc. Clerke, Laur. Swynbourne, Joh. Burrough, Tho. Barker, Edwardus Saye, Joh. Coston, Johannes Lewes, Will. Creak, . . . Speight, Thomas Iles. XI.

Nomina illorum, qui in curia audientiae et non in curia de arcubus procurabunt: Tho. Willet, Petrus Johnson, Abrahamus Hartwell, Anth. Law, Joh. Theaker, Galfridus Clerke, Tho. Redman, Steph. Staple, Edwardus Willett, Thomas Warde, Joh. Lawe. XI.

VIII. In quorum omnium et singulorum fidem et testimonium hoc praesens scriptum manus nostrae subscriptione et sigilli nostri appositione muniri curavimus. Datum in manerio nostro de Lambhith 8. die mensis Novembris, anno Domini M.D.LXXXVII. et nostrae translationis anno quinto.

Archiepisc. Cant.
JOH. WHITGIFT 5.

Anno Christi
1588.

Reg. Angliae
ELIZAB. 30.

Convocatio praelatorum et cleri provinciae Cantuar. Ex MS. Miles Smith apud Thom. episc. Assaven.

EA per breve regium ad diem 13. mensis Novembris in ecclesia S. Pauli London. summonita, virtute commissionis archiepiscopalis prorogabatur in 5. diem Februarii. Quo die sacra in ecclesia S. P. London. peraguntur, certificatoria leguntur, et synodus ad ecclesiam collegiatam B. Petri Westmon. die 7. Febr. habenda continuatur. Ibi protestatione more solito per decanum Westmon. et responso archiepiscopi datis, Johannes Styll, prolocutor, praesentatus admittitur. In tertia sessione (Febr. 12.) et quarta (Febr. 19.) et quinta (Febr. 21.) et sexta (Febr. 26.) et septima (Febr. 26.) de subsidio dominae reginae concedendo variae consultationes instituuntur. In octava (Febr. 28.) convocatio ob aegritudinem archiepiscopi ad aedes Lambethanas continuatur; ubi in nona synodi sessione (e-

odem die) in magna camera selectus numerus episcoporum archiepiscopum consulit de subsidio, de quo inter utramque domum convenit. In decima in ecclesia B. Petri Westm. (Mart. 5.) et undecima (Mart. 7.) prorogationes tantum fiunt. In duodecima (Mart. 12.) archiepiscopus monet beneficiatos ut in beneficiis suis resideant; et duos presbyteros Tyrrell et Tydder a Romanae ecclesiae erroribus ad sinceram religionem, modo auctoritate regia stabilitam conversos favori synodi commendat; quorum in sustentationem et levamen aliquam, ut praestaret et contribueret domus inferior pecuniarum summam instanter rogavit. Tertiadecima sessio (Mart. 14.) et decima quarta (Mart. 19.) continuata fuit absque ullo alio peracto aut proposito negotio. In decima quinta sessione (eodem die) the archbishop

336 CONVOCATIO PRAELATORUM ET CLERI PROV. CANT.

bishop present brings in certayne orders to be observed throughout the province.

I. Single beneficed men to be compelled to residence constant, unless a prebendary or chaplain to the king or peere, or by some other attendance allowed by the statutes to be absent; and in that case to keepe a licensed preaching curate.

II. Double beneficed men to reside equally upon their livings, and to keepe a licensed curate, where they are not.

III. Beneficed men absent one hundred twenty dayes to keepe licensed curates.

IV. Scandalous ministers guilty of notorious crimes to be removed, and never to be admitted to any cure.

V. No unlearned unable person to catechize

shall be admitted to any cure.

VI. None may place or displace a curate without authority from the archbishop or bishop of the diocesse. Both houses promise to obey and execute the said orders.

Decima sexta sessio (Mart. 21.) et decima septima (eodem die) et decima octava (Mart. 26. M.D.LXXXIX.) et decima nona (Mart. 27.) et vicesima (Mart. 28.) et vicesima prima (eodem die) nihil praeter continuationes nobis reliquerunt; praeterquam quod in ultima absentes et absque venia abeuntes, inprimis episcopus Lichfeldensis, ab archiepiscopo fuerint suspensi. Tandem 2. die Aprilis per breve regium et commissionem archiepiscopi convocatio ab episcopo Petriburgensi dissolvitur.

Archiepisc. Cant.
JOH. WHITGIFT 5.

Anno Christi
1588.

Reg. Angliae
ELIZAB. 30.

The archbishop of Canterbury's letter for provisions for arms. Reg. I. Whitgift
fol. 162. b.

AFTER my very hartye commendations to your lordship; you cannot be ignorant of your sundry endeavours in diverse parts of this realm by the livetenants and others, since the tyme of these late dangers of forreign invasion by the procurement of the pope and his adherents, to have had all ecclesiastical men assaied, according to the rate of their livinges do beare, to the finding of horse and other warlike furniture, and to shew with others at common musters; which purpose although it hath hitherto bynne stayed for some considerations, yet being members of one and the selfsame common-weale, and imbarcked in the like common dangers with others, if not more in respect of our calinge and publick profession of religion, wherby we are also bound to go before others, as well in worde as in good example; we are therefore to remember and advisedly to weigh with our selves, what dutiful forwardnes against these extraordinary imminent dangers of very congruence is expected at our handes, for the defence of our gracious soveraigne; ourselves, our families and countrie; and besides the very good expectation of the best, the stirring up of those which otherwise are but slowe to further such service, and the discouraging of the common enemy; our willing readines herein will be a good means also to stoppe the mouthes of such as do think those temporal blessings, which God hath in mercy bestowed upon us, to be too much, and therefore spare not in grudging manner to saye, that themselves are forced to their great charges to fight for us, whiles we lie quietly at home, without providing any munition in these publick perills. For which and divers other weightie respects of great consideration, I have lately received lettres from my lordes of her majesties most honourable privy counsayle, requiring me in very earnest sorte to move all the bishopes, within my province, with what convenient spede may be, effectuallie to deal with those of their cathedral churches, and o-

ther beneficed men in their diocesses, but especially such as be of better habilitie, for the furnishing of themselves with lawnses, light horses, petronells on horsebacke, muskets, calivers, picks, holberts, billes, or bowe and arrowes, as in regard of their severall abilities shall be thought most convenient. I am therefore accordingly hereby to require your lordship, to whom these abilities are best known, to take an especial care by all good persuation you can, to move such ecclesiastical persons of your diocess to be readie with free and voluntarie provision of men, horse and furniture, as your lordships shall thinke good to allotte, and every one to find, and to be shewed at some convenient daye and place, as you shall therunto appoint, desiring your lordship with what convenient spede you can, to certifie particularlie of the names of every ecclesiastical person and the particular furniture by him provided, to the intent both your own care herein (wherof I nothing doubt) may appeare, and what regard every one severally hath of his duty for the furthering of the present necessarie service, being noe great charge, and so expedient for every one to have in readines for defence of his own person, house and family upon any suddaine occasion, that thereafter may happen, wherein I trust every one will be ready to the utmost of his power, to follow the free and voluntary example in this behalf, shewed by the clergie of some diocess in the realm, before any such monition was made unto them; which the more franke and voluntary yt shall be, the more acceptable to the quenes most excellent majestie, and a great cause of rejoycing to all, that love and wish well to the estate ecclesiastical. And thus I commit your lordship to God's holy tuition. From Croydon the 29. of May, M.D.LXXXVIII.

Your lordship's loving brother in Christ.

JO. CANTUAR.
Articles

Archiepis Cant.
JOH. WHITGIFT 5.

Anno Christi
1588.

Reg. Angliae
ELIZAB. 30.

Articles to be enquired of by the churchwardens and sworne men in the ordinary visitation of the lord archbishop of Cant. within the diocese of Sarum. Reg. Whitgift fol. 400. a.

I. **I**N PRIMIS, Whether your church be void and if it be, who gathereth the fruites thereof; and if it be full, whether the incumbent hath any moe benefices then one; and whether he be a preacher, yea or noe; and what degree of schole he hath taken?

II. Item, Whether your minister doth reverently say service, and minister the sacraments according to the book of common prayers: and whether doth he use in his ministration the ornaments appointed by the lawes now in force?

III. Item, Whether have you in your church all things necessary for the common prayer, and due administration of the sacramentes, according to her majesties lawes and injunctions?

IV. Item, Whether have you had monethlie sermons in your parish church at the least, or noe; and whether are the homilies read, when there is no sermon.

V. Item, Whether any person, being not deacon at the least, is suffered to say service in your church, to minister the sacraments, or bury the dead; and whether doth any take upon him to preach, not being sufficiently licensed; and whether doth any use to preach, that doth not once in the year at least administer one of the sacraments?

VI. Item, Whether your parson or vicar be resident upon his benefice; and whether he be an incontinent person, or suspected thereof, or faulty of any other kind of lewdness?

VII. Item, Whether your parson, vicar or curate have publickly, or otherwise, spoken against the order or government of the church of England, or the book of common prayer, established by law?

VIII. Item, Whether your ministers used to pray for the quenes majestie, queen Elizabeth, by the title and style due to her majestie, appointed by the statutes of this realme, and her highness injunctions, and exhort the people to obedience to her highness, and other magistrates being in authority under her?

IX. Item, Whether your minister doth not openly in your church catechise such as be of convenient age, according to the ordres set forth in the book of common prayer?

X. Item, Whether all persons of convenient age doth not repaire to the church upon Sun-

days and holydaies, and receive the communion thrise yearly?

XI. Item, Whether you do know any persons, that withhold any church-stock, or hathe not made their accompts duly, according to the law, having byn churchwardens?

XII. Item, Whether you do know any common swearer, drunkarde or blasphemmer, any symoniacal person, usurer, witch, conjurer, southsayer, charmer, fornicator, adulterer, incestuous person, or any that harboreth incontinent persons, or any vehementlie suspected of any of those crimes?

XIII. Item, Whether you do know any scholemaster that doth teach within your parish without license of his ordinarie under his seal or no?

XIV. Item, Whether you do know in your parish any man that hath two wiefes living, or anie woman that hath two husbands living?

XV. Item, Whether you do know anie that doth obstinately defende papistraye, heresies, errors, or false doctrine?

XVI. Item, Whether do you know any person excommunicate in your parish, and whether any such doth repaire to the church?

XVII. Item, Whether your parish church or chauncell be ruinous or decayed, and by whose defaulte?

XVIII. Item, Whether you know any receivers of jesuites, seminaries, or massing priestes or any other fugitive persons, or reconcyled to the church of Rome?

XIX. Item, Whether you knowe any that use conventycles, or meetings, for expounding scriptures, or saying of prayers in private houses or places?

XX. Item, Whether there be any hospitals, or almehouses in your parish; and whether the same be used according to the foundations and ordinances thereof?

XXI. Item, Whether you knowe any person ordered by the law to do penance or excommunicate for not doing the same, do still so continue unreformed?

XXII. Item, Whether you doe knowe any other matter worthy of presentment above not expresseyd, yea or noe, which you shall likewise present by virtue of your oathes?

The archbishop's letter for prayers, etc. Ibid. fol. 148. a.

"**S**ALUTEM in Domino." Consideringe the daungerousness of the time, I think it very convenient, that you cause publick prayers to be had in every severall parishe within your diocess, according to the letters heretofore written unto you; foreseeing that no other order

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of fastinge, or other exercise be used then such as to you shall be prescribed according to the lawes and orders of the church established, I have caused a book upon the like occasions penned, to be newlie printed with some additions, which you may have for your diocess, if

R r r r

you

you send for the same. And soe wishing you to be careful herein I commit your lordship to the almightie. Lambeth this 10th. of July M.D.LXXXVIII.

Your lovinge friend in Christ.

JO. CANTUAR.

Archiepisc. Cant.
JOH. WHITGIFT 6.

Anno Christi
1588.

Reg. Angliae
ELIZAB. 30.

The archbishop's letter to the bishop of London about the admission of ministers into benefices. Reg. I. Whitgift fol. 157. a.

AFTER my right hartie commendations to your lordship. Where "secundo Decembris," when we were assembled in the synode, kept in the yere M.D.LXXXVI. it was thought fit and necessarie to me, and the rest of my brethren then present in that synode, although not as a judicial acte or conclusion, by the authoritie of the convocation, that the articles of the tenor of the copy herin enclosed, shall be put in execution by your lordship, and all the rest of my said brethren the bishopes of this province. Forasmuch as it is like it will be looked for at this next parliament, howe the same articles have binne accordingly used, and likewise how the canons agreed upon by all our consents in the convocation holden the 24. day of November in the yere of our Lord M.D.LXXXIV. and allowed by the quenes majestie, have binne observed, wherof I should have had from your lordship a certificate once every yere;

these are hartelie to pray and require your lordship, with all spede, by your lettres to certifie me, how many sithence the yere M.D.LXXXIV. have binne by your lordship admitted either to the ministerie, or to any benefice, or other promotion ecclesiastical, within your diocess, and how the same persons, soe by you admitted, are in all respects qualified, and how many of them are preachers, and by whom allowed, and generally how in all points the said articles and canons have bynne put in execution. And although it may be, that your lordship for some year hath heretofore sent unto me some certificate, yet I pray your lordship to spare me from the care of finding the same, and to take paines to certifie me for every yeare from the beginning. And soe expectinge your lordships speedy answere I committ your lordship to God. From Lambeth the 10th. of November M.D.LXXXVIII.

Archiepisc. Cant.
JOH. WHITGIFT 6.

Anno Christi
1588.

Reg. Angliae
ELIZAB. 30.

Orders agreed upon by the archbishops and bishops, etc. at the Parliament M.D.LXXXVIII. and commanded by her majestie exactlie and diligentlie to be observed and put in execution. Ex MS. col. Caj. Cantab. D. 37. fol. 170.

THAT all such as have one benefyce with cure shal be compelled by his ordinarie absolutely and continuallie to be resydent thereupon accordinge to the lawe, unlesse he be absent by occasion of residence in any cathedral church, or of any service or attendance allowed by the statutes of this realme, in which cases he shall finde a sufficient preacher to be allowed by the bishoppe of the dioces, yf the lyvinge shal be thought to the bishoppe able to find a preacher.

Every incumbent of moe cured benefices then one by lawful dispensation, is to be compelled to be equallie resydent, or to have a sufficient preacher to be allowed by the bishoppe upon that benefice, from the which he shall happen to be absent, yf the lyvinge shall be thought to the bishoppe able to finde a preacher.

If any person having one or more benefices with cure shal be absent from the same by color of his residence in any cathedral church, or of the service of any prelate or nobleman, or woman; such a non-resydent that shal be ab-

sent by any such occasions by the space of 4. monthes in one yeare, shal be compelled (as before) to fynde such a sufficient preacher to supplie his absence as the bishoppe of the place shall allow of.

If any mynister havinge any lyvinge ecclesiastical in perpetuitie, or otherwise, shall so notoriously offend in anye great cryme, that he shall be justly offensyve and scandalous to his profession and calling, and thereby shal be unable to profytte the place where he offendeth, he is to be removed from suche his lyvinge, and not to be admytted after to serve any cure.

That noe mynister unlearned and not able to catechise shal be hereafter admytted to serve any cure. And yf any such be incumbent of any benefyce alreadie, the bishoppe shall, and by the lawe maye appoynt unto him a coadjutor with a convenient stypend accordinge to the value of the benefyce.

That none be suffered to place or displace any curate without authoritie from the archbishoppe or bishoppe of the dyocesse, where such a cure lyethe.

Reasons,

Archiepisc. Cant.
JOH. WHITGIFT. 6.

Anno Christi
1588.

Reg. Angliae
ELIZAB. 30.

Reasons against the bill brought into the house of lords against pluralities. The clergy's address to the queen about it. Ex MS. Cott. Cleop. F. 2. fol. 254. b.

" I. **I**T is a very great innovation, and therefore contrary to her majesty's pleasure declared at the beginning of the parliament, as I take it. II. It abridgeth her majesty's authority, which we are all sworn to maintain. III. It diminisheth her revenues. For the greatest fees in the office of faculties are due to her highness. IV. It injureth all the better and learned sort of the clergy. V. It cannot but in time overthrow, in both the universities, the study of divinity. For who will apply himself to the study of that profession, wherein he cannot have sufficient maintenance? VI. It is absurd. For what man of reason will think that eight pounds yearly is able to maintain a learned divine? when as every skell in a kitchen, and groom of a stable is better provided for. VII. It will be the utter overthrow of a learned ministry, which now flourisheth in England, more than ever it did; and bring in a barbarous, unlearned and factious ministry. VIII. It is to be wondered that such a bill should now be offered, when there is a canon set down the last convocation, (whereunto her majesty's royal assent is) to remedy all inconveniences, that reasonably can be objected against any abuse in that kind."

" It should be considered in how unreasonable a time this bill is offered, the clergy having granted so great subsidies to her majesty: and what discouragement it may be unto them, to understand that there is such a bill offered; whereby they shall be all beggared, and made unable to perform that which they have promised."

[This bill so nearly touch'd the clergy; and so afraid they were of the ill consequences of it; that they offered the following address to her majesty.]

To the queen's most excellent majesty.*

" The woful and distressed state, whereunto we are like to fall, forceth us with grief of heart, in most humble manner to crave your majesty's most sovereign protection. For the pretence being made the maintenance and increase of a learned ministry, when it is thoroughly weighed, decayeth learning, spoyleth their livings, taketh away the set form of prayer in the church; and is the means to bring in confusion and barbarism. How dangerous innovations are in a settled state, whosoever hath judgment perceiveth. Set dangers apart, yet such great inconveniences may ensue, as will make a state most lamentable and miserable. Our neighbours miseries might make us fearful, but that we know who rules the same. All the reformed churches in Europe cannot com-

pare with England in the number of learned ministers. These benefits of your majesty's most sacred and careful government, with hearty joy, we feel and humbly acknowledge. Senseless are they that repine at it: and careless, which lightly regard it. The respect hereof made the prophet say "Dii estis": all the faithful and discreet clergy say "O Dea certe." Nothing is impossible with God. — Requests without grounded reasons are lightly to be rejected. We therefore not as directors, but as humble remembrancers beseech your highness favourable beholding of our present state; and what it will be in time to come, if the bill against pluralities should take any place."

The present state.

" Improprations carry from the clergy in tithes yearly an hundred thousand pounds; the lands holden of abbies, priories, etc. at their dissolution, freed from tithes, remaining so, almost as much.

The colour of former statutes cutteth off tithe-wood above one and twenty years growth. Customs "de modo decimandi" in most parishes prevail to our great hindrance.

All which abridging the pastors portion without repining or dislike, we quietly sustain. And yet would they tye us to one benefice, a great part whereof being thus defalked.

The state to come.

First, Inconveniences to the church. The bishops of small benefices are now releived by benefices in "commendam". But then shall be unable to maintain their state, etc."

" If every one shall have but one benefice, what difference shall be between a doctor in divinity and a scholar?

As the state now is, learned men are provided for; but by this bill they shall be left cared for."

It requireth an impossibility. For of 8800. and odd benefices with cure, there are not 600. sufficient for learned men. Neither if they were all sufficient, could there be found the third part of men to supply that number."

No one benefice can defray the charge of such as are to be employed upon preaching before your majesty, or in other solemn places; or to attend upon synods, or other your majesty's services and public affairs. This bill restraineth not laymen to have divers improprie benefices, and to serve them by silly curates: and denyeth it to learned divines, who personally discharge their duty, and in their absence have sufficient substitutes etc.

* Vide Strype's life of Whitgift p. 280.

Archiepiſc. Cant.
JOH. WHITGIFT 6.

Anno Chriſti
1588.

R. eg. Angliæ
ELIZAB. 31.

A proclamation againſt certain ſeditious and ſchiſmatical books and libels, etc.

By the queen.

THE queen's moſt excellent majeſty conſidering how within theſe few years paſt, and now of late, certain ſeditious and evil diſpoſed perſons towards her majeſty, and the government eſtabliſhed for cauſes eccleſiaſtical within her majeſties dominions, have deviſed, written, printed, or cauſed to be ſeditiouſly and ſecretly publiſhed and diſperſed fundry ſchiſmatical and ſeditious books, diffamatory libels, and other phantaſtical writings amongſt her majeſty's ſubjects, containing in them doctrine very erroneous, and other matters notoriously untrue, and ſlanderous to the ſtate, and againſt the godly reformation of religion and government eccleſiaſtical eſtabliſhed by law, and ſo quietly of long time continued, and alſo againſt the perſons of biſhops, and others placed in authority eccleſiaſtical under her highneſs, by her authority, in railing ſort, and beyond the bounds of all good humanity: All which books, libels, and writings, tend by their ſcope to perſuade and bring in a monſtrous and apparent dangerous innovation within her dominions and countries, of all manner of eccleſiaſtical government now in uſe, and to the abridging, or rather to the overthrow of her highneſs's lawful prerogative, allowed by Gods law, and eſtabliſhed by the laws of the realm, and conſequently to reverſe, diſſolve, and ſet at liberty the preſent government of the church, and to make a dangerous change of the form of doctrine and uſe of divine ſervice of God, and the miniſtration of the ſacraments now alſo in uſe, with a raſh and malicious purpoſe alſo to diſſolve the eſtate of the prelacy, being one of the three ancient eſtates of this realm under her highneſs, whereof her majeſty mindeth to have ſuch reverend regard, as to their places in the church and common wealth appertaineth. All which ſaid lewd and ſeditious practices, do directly tend to the maniſeſt wilful breach of great number of good laws and ſtatutes of this realm; inconveniences nothing regarded by ſuch innovations.

In conſideration whereof, her highneſs graciously minding to provide ſome good and ſpeedy remedy to withſtand ſuch notable dangerous and ungodly attempts, and for that purpoſe to have ſuch enormous malefactours diſcovered and condignly puniſhed, doth ſignify this her high-

neſs's miſliking and indignation of ſuch dangerous and wicked enterpriſes; and for that purpoſe doth hereby will and alſo ſtraightly charge and command, that all perſons whatſoever, within any her majeſty's realms and dominions, who have or hereafter ſhall have any of the ſaid ſeditious books, pamphlets, libels or writings, or any of the like nature already publiſhed, or hereafter to be publiſhed, in his or their cuſtody, containing ſuch matters as above are mentioned, againſt the preſent order and government of the church of England, or the lawful miniſters thereof, or againſt the rites and ceremonies uſed in the church, and allowed by the laws of the realm: That they, and every of them do preſently after, with convenient ſpeed bring in, and deliver up the ſame unto the ordinary of the dioceſs, or of the place where they inhabit, to the intent they may be utterly defaced by the ſaid ordinary, or otherwiſe uſed by them. And that from henceforth no perſon or perſons whatſoever be ſo hardy as to write, contrive, print, or cauſe to be publiſhed or diſtributed, or to keep any of the ſame, or any other books, libels, or writings of like nature and quality, contrary to the true meaning and intent of this her majeſty's proclamation. And likewiſe, that no man hereafter give any inſtruction, direction, favour or aſſiſtance to the contriving, writing, printing, publiſhing, or diſperſing of the ſame, or ſuch like books, libels, or writings whatſoever, as they tender her majeſty's good favour, will avoid her high diſpleaſure, and as they will answer the contrary at their uttermoſt perils; and upon ſuch pains and penalties, as by the law any way may be inflicted upon the offenders, in any of theſe behalfs, as perſons maintaining ſuch ſeditious actions, which her majeſty mindeth to have ſeverely executed. And if any perſon have had knowledge of the authors, writers, printers or diſperſers thereof, which ſhall within one month after the publication hereof, diſcover the ſame to the ordinary of the place, where he had ſuch knowledge, or to any of her majeſty's privy council; the ſame perſon ſhall not for his former concealment be hereafter moleſted or troubled. Given at her majeſty's palace at Weſtminſter, the 13th of February, M.D.LXXXVIII. in the 31ſt year of her highneſs's reign.

God ſave the queen.

Convocatio cleri provinciae Ebor.

BREVE regium datum apud Weſtm. 20. die Septemb. anno regni 30. ſynodum convocabat in eccleſia metropolitana S. Petri Ebor. die 13. menſis Novembris celebrandam. Antequam autem dies ille appropinquaret, aliud breve emanavit dat. apud Weſtm. 19. die Octobris, anno regni 30. prorogans ſynodum hanc

ad 5. diem menſis Februarii ſequent. Quo die praelati et clerus convenerunt; ſequentique die 8. menſis Martii duo ultronea ac ſpontanea et voluntaria ſubſidia regiae ſuae majeſtati unanimi eorum conſenſu et aſſenſu dederunt et conceſſerunt. Et deinde in diem 11. 21. et 28. Martii ſucceſſive ſeſe continuaverunt.

Synodus

Archiepisc. Cant.
JOH. WHITGIFT 6

Anno Christi
1589.

Reg. Angliae.
ELIZAB. 31

Synodus Cantuar. et Eboracen.

IN provincia Cantuar. synodus ad 26. diem mensis Martii, M.D.LXXXIX. continuata per quotidianas continuationes usque ad dissolutionem ejusdem, quae 2. die Aprilis contigit, nihil egit, praeterquam quod RRimus nonnullos, et inter eos episcopum Lichen, suspenderit ab officio, ideo quod absque venia a synodo recesserint.

rint.

IN EBORACENSI provincia synodus 28. die mensis Martii, et 5. die Aprilis more solito congregata, brevi regio dat. 2. die Aprilis morem gerens, 18. die ejusdem mensis sese dissolvit.

Archiepisc. Cant.
JOH. WHITGIFT 8.

Anno Christi
1590.

Reg. Angliae
ELIZAB. 32.

The councills letter to the archbishop of Canterbury about the provision of armes by the clergy. Reg. I. Whitgift fol. 163. b.

AFTER our right hartie commendations to your good lordship. Wheras there hath bynne order given by her majesties direction for general musters and views to be taken of all the able men, with their armour and furniture, within the severall counties of the realme, which ys already performed, and the certificates returned, those of the clergie remayning only uncertified; and forasmuch as we think it fytt her majestie be made acquainted as well with the one as the other, that she may know and understand the full strength of the whole realme; we have thought good to desire your lordship,

with some diligence, to write your letters to all the bushopes, to send forthwith unto you the peticular certificates of the horse and foot armed, and furnished by the clergie of their severall dioceses, whereof we pray your lordship there may be no defaulte; and so byd your lordship right hartelie farewell. From the courte at Windsor the 11th of October, M.D.XC. When your lordship shall have received the certificates, we pray you send them unto us, your lordships assured loving freindes, Chr. Hatton, can. W. Burghley, H. Hunsdon, Hen. Cobham, Tho. Heneage, J. Wolley.

The archbishop's letter about the same, etc. Ibid.

AFTER my very hartie commendations to your good lordship, I send unto your lordship herein the copy of a lettre, lately sent unto me from the lords and others of her majesties most honorable privye counsaile, whereby your lordship may see her highnes gracious direction, to knowe the readines and strength of her whole realme, and to that end is already certified of the state of all the severall shires of the realme in that behalf, saving only of the clergie. These are hartelie to pray and require your lordship immediately upon the receipt thereof, to consider of the contents of these enclosed, and accordingly, with all convenient speed, to viewe all the armor and furniture of

all the clergie within your diocesse, and of the able men appointed therewith to serve, and thereupon forthwith to send unto me a true and perfect certificate thereof, under your seale, and how also your self is furnished, that the same may be sent from me to the lordes according to the meaning of their lordships said lettres; and hereof praying your lordship to have such care as appertayneth, I hartelie byd your lordship farewell. From Lambeth the 19th of Octobre, M.D.XC.

Your loving brother in Christ,

JO. CANTUAR.

Orders to be observed of every bishoppe in his diocesse within the province of Yorke.

Ex MS. Coll. Caj. Cantabr. D. 37. fol. 168. seq.

IN PRIMIS, That no bushoppe shall make any ministers, but first shall geve publique notice thereof, and shall make none but suche as be of his owne dioces, or of the universities, and that they bringe with them good testimonie of their conversation and former lyfe, and shall be thoroughly examined by the bushoppe himself and others of the learned clergy, whether they have been students of divinity, and are able in the Latyn tongue to shew forth the scriptures, wherupon the arti-

cles of religion, agreed upon in the synod, are grounded. And that this action of admyting any into the ministrie be done in publique place, accordinge to the order of the book of making of mynisters in that behalf provided and establisht. And that none be admytted into the mynistry, but suche as do knowe where presently to be placed. The bushoppe that will not danger his soul must be careful herein: "Ne cito cui manus imponas," saith Paul: for the making of unworthy my-

SSS

nisters

nisters hath turned to the great schlauder of this church of England.

II. Item, That the censure of excommunication be avoided so muche as may be in tryfeling matters; for this high censure of the church is to be executed chiefly in great and criminal causes.

III. Item, That noe commutation of penance be used but only by the bishoppe, and then when he shall evidently perceyve, that the offender may rather be wonne thereby, than by corporal punishment: yet let it be knowne openly in his parishe church, that he acknowledged his faulte before his ordinarie, submytted himselfe, and geven suche a peece of money for the releif of the poore, as a frute of his repentance. The whole sume wherof shall be delivered to the mynister and churchwardens; they to distribute the same amongst the poore of the parishe, and to certifie the bishoppe of their doings therein.

IV. Item, That noe dispensation for not askinge bannes of matrimonie be graunted, but under sufficient and large bonde with these conditions followinge. That afterward there shall not appear any lawful lette or impediment, by reason of any precontracte, consanguinitie, affinitye, or anye other lawful meanes whatsoever. And secondlie, that there be not at that present time of grauntinge such dispensation, any sute, plaint, quarrel, or demande moved or depend-

inge before any judge ecclesiastical or temporal for or concerning any suche lawful impediment between the said parties. And thirdly, that they proceede not to the solemnization of the marriage without consent of parents or governours. And that no such lycence be graunted, or bond taken, without the expresse consent of the bishoppe himselfe.

V. Item, It is carefully to be considered, that none be admytted into the ministerie, either allowed preacher in any dioces, except he or they first subscribe to the articles of religion established and allowed of. And that every one that hath or shall have any ecclesiastical lyvinge with cure, beinge a mynister, shall once in the yeare in the place, where he hath charge, mynister the holie communion in his own person accordinge to the order set downe in the booke of Common Prayer. And her majestie hath advised the bishoppes, that none be admytted a preacher under the age of twenty seven yeares.

VI. Lastly, Publique fasts, and such unwonted assemblies without sufficient authoritie, are not to be suffered, but utterly prohibited.

E. Ebor.

Matthew Hutton.

Rob. Longher.

Ric. Pearfy.

Wm. Palmer.

Archiepisc. Cant.
JOH. WHITGIFT 8.

Anno Christi
1591.

Reg. Angliae
ELIZAB. 33.

Orders to be observed in the government of the church, agreed upon by the archbishoppe and bishopps of the province of Yorke, Aug. 1. M.D.XCI. when the bishoppe of Durham was consecrated. Ex MS. Col. Caj. Cantab. D. 37. fol. 171.

I. IN PRIMIS, That the mynisters in every diocesse be exercysed with the studie and practise of the scriptures continuallie, in such sorte, as hath been accustomed in every severall diocesse, and that they render an accompte of their studyes and labores to their ordinarie so often as they shall be required, tyll farther order be taken in his grace's metropolitical visitation.

II. Item, That the saide mynisters do use all paynefull diligence in catechisinge the youthe and others of their parishe, accordinge to her majesties injunctions, and other godly canons in that behalfe provyded, or else to be censured by their ordinaries, as the qualitie of the offence requirethe.

III. Item, All non-resydents to be called home and constrained to resydence upon their charge, so far as the lawe will warrant. And all those, who be lawfullie absent from their benefyces, to maintain and keepe a godly preacher there duringe the tyme of their absence, at the discretion of their ordinarie, yf the lyvinge be able to bear it.

IV. Item, Every preacher or expounder of

the words in any church or congregation to be present at Common Prayer in the saide church or congregation, and to recieve the communion there four times in the yeare at the least.

V. Item, If any minister be known not to observe the orders of the book of Common Prayer, in saying the service and administering the sacraments and other rites and ceremonies therein conteyned, that he be sent for presently and enjoyned to reform his disorder, and to certifie his saide reformation; which if he do not, then ordinary proceedinge to be used against him, according to lawe.

VI. Item, All recusants, and speciallie those of the best sorte to be proceeded against effectually, and speedelie so farre as the law will yeelde power.

VII. Item, Those that do not communicate, to be dealt withal by the ordinarie in such wyse and godlie manner, as shall seem best unto him for their reformation.

VIII. Item, Noe permutation of any penance to be made by any officer whatsoever without special lycence from the ordinarie under his hand.

The

Archiepisc. Cant.
JOH. WHITGIFT 8.

Anno Christi
1591.

Reg. Angliae
ELIZAB. 33.

The archbishop's letter for catechising and confirming. Reg. I. Whitgift fol.
181. a.

AFTER my very hartie commendations. Your lordship is not ignorant, that a great parte of the dissolutenes in manners and ignorance in the common sorte, that raigneth in most partes of this realme, even in this clear light of the gospell otherwise, ariseth hereof, for that the yowthe (being as it were the frie and seaminarie of the church and commonwealth) through negligence both of natural and spiritual fathers, are not (as were meete) trayned up in the chief and neecessarye principells of christian religion, wherby they might learn their duty to God, to their prince, their countrie, and their neighbours, especially in their tender yeres, when these things might best be planted in them, and would become most hardly to be afterward removed. This mischief might well (in myne opinion) be redressed, if that, which in this behalf hath been wisely and godlie provided, were as carefullie called on, and executed, namely, by catechisinge and instructing in churches of yowthes, of both sexes, on the Sabbath daies, and holy daies, in afternoones, and that (if it may be convenientlie) before their parents, and others of the severall parishes, who therby may take comforte and instruction alsoe. One great inducement unto the learning of the rudimentes of religion hath hertofore ben observed to be, that chardge, which by the book of Common Prayer every minister should give after baptizing the infantes, to have them (soe sone as they maye learne) instructed in the catechisme, and having learned it, to be broughte to the bishoppe to be confirmed; which gyvinge chardge I do heare is for the most parte omitted. This auntient and laudable ceremonie of confirminge children, in respect of a carefullnes in fathers to have their children instructed, that afterwards they might be confirmed, hath heretofore wrought much good, where yt was used; I am very sorrye to hear that my bre-

thren the bishops of my province of Canterbury doe so generally begin to neglect to confirm children, at least to call for, and exact the use both of it and of catechising children in the church by the minister, and of parents to send their children, and to come thither themselves. These wantes are now grown so common and offensive by the ill effects, which they are found to yeld, that I am in conscience urged verie earnestlie, and in the fear of God, to require your lordship and other my brethrene the bishops, according to your pastoral care, and for the duty which you owe to God and his church, both in your own visitations, from time to time, and by your archdeacons, and other ecclesiastical officers, to give straite chardge unto parentes to come themselves, or at least to send their children to the church at such times, and especially unto ministers to expounde unto them, and to examine the children in that little catechisme, which is allowed by authoritie; and also at the baptizing of infants to give that charge for bringing them unto the bishop to be confirmed, which by the book of Common Prayer is prescribed. And I do also hereby require at your lordships handes to geve warning to the ministers of your dioces, that they cause such children of their parish onely, that can say the catechisme, to be brought from tyme to tyme unto your lordship to be confirmed, not only when you visite trienniallye, but also at other fit opportunities for such a purpose; as namely when you travel abroad in the dioces to preach, and on markett daies, when you reside and make your abode in any markett town, whither the people of parishes thereabouts do usually resort. Thus nothing doubting of your lordships forwardnes and care herein, I commend you to Gods holy protection. From Croydon the . . . of Septembre M.D.XCI. your loving freind and brother.

Archiepisc. Cant.
JOH. WHITGIFT 10.

Anno Christi
1592.

Reg. Angliae
ELIZAB. 35.

Convocatio praelatorum et cleri provinciae Cantuar. Ex MSS. Miles Smith apud Thom. episc. Aflaven.

CONVOCATIO praelatorum et cleri provinciae Cantuar. per breve regium ad 20. diem Februarii in ecclesia D. Pauli London. summonita, de die in diem per 19. sessiones continuata, nihil praeter duo dominae reginae subsidia concedenda tractavit.

Quo facto, et poena in non comparentes et abeuntes absque venia irrogata, 11. die Aprilis anni sequentis virtute brevis regii ab archiepiscopo dissoluta fuit.

Habet quaedam Strypius in vita archiepisc. Whitgift pag. 398. quae in hac convocazione gesta adnotavit.

In this convocation the deans and divers of the prebendaries of the late erected churches, being now met together, resolved to move for an act of parliament for the confirmation of them; to prevent for the future the great vexations they had met with from such as pretended, that much of their revenues were concealed lands,

lands, and so belonging to the crown. The archbishop had often laboured to stop these mischieves to the church and learning; and had so prevailed with the lord treasurer to espouse this cause, that upon their petition he had lately effectually shewn the queen (the archbishop also being present) the great inconveniencies of these commissions granted by her, to the spoiling of those religious foundations of hers, and her father and brother. And upon this encouragement both from the archbishop and the said lord, they wrote their letter dated in March from the convocation house to him, to this tenor: "Their duties in most humble wise remembered: That whereas divers of the cathedral and collegiate churches, erected by her majesty, her father, and brother, and the possessions thereof, had been procured as "Concelements," and that for very trifles, to the prejudice, no doubt, of their princely entendments, and to the disquieting of such as had been and were there placed; and to the utter wasting and spending the revenues thereof, appointed for many honourable and good uses: forasmuch as they understood by their very good lord, the archbishop of Canterbury his grace, his honourable and loving affection to such foundations, testified in his presence even to her majesty, and likewise perceived by such of themselves,

as from them had been sent to his lordship, his honours good acceptance of their humble petition and dislike of such practises; they had thought it their bounden duties to yield unto his lordship most humble thanks, and withall to beseech and desire the same, that by his honourable mediation and countenance, a remedy might at this parliament (by confirmation of the same grants) be obtained. That it would redound to the glory of almighty God, the honour of her majesty, the special recommendation of his lordship, the increase of learning in the church and universities, and breed in those troublesome days a happy home peace to our churches and to them, poor churchmen. And thus making bold to lay themselves, and their whole cause in his honourable and accustomed regard and favour, and beseeching the almighty long to bless and preserve his lordship; and at this, they humbly took their leaves. From their convocation house the 16th of March, M.D.XCII. subscribing his lordships most bounden, the deans and prebendaries of the late erected churches. Signed W. James, Gabriel Goodman, Humphrey Tyndal, Martin Heton, Thomas Nevyle, Will. Redman, Philip Bisse, Tho. White, Hadrianus Saravia, John Freake, Jo. Pratt, P. Williams, Will. Wilson, Thomas Monforde.

Archiepisc. Cant.
JOH. WHITGIFT 10.

Anno Christi
1592.

Reg. Angliae
ELIZAB. 35.

Orders for the oath of obedience to her majesty. Reg. I. Whitgift fol. 197. b.

AFTER my hartie commendations. Where by her majesties directions, the lordes and other of her hignes most honorable privy counsell have written their lettres, that all the justices of peace of this realme shall take the oath of obedience to her majestie, according to the statute made and established in the first yere of her highness raigne; and where likewise the judges, and all other officers and ministers of other her majesties courtes, have at this tyme taken that oath openly in place of judgment, and I my self also have caused my judges, advocates, proctors, and other officers belonging to me, to take the same oath; I have thought

good to wish and advise you, upon the next court day after the receipte hereof, to geve order to the chancellor, commissaries, archdeacons, officials, proctors, and registers to take and give the like oath, with inhibition to those that shall refuse the same, or shall not be present to take it, that they forbear any way to exercise in your courtes, untill they shall have taken the said oath accordingly. And soe I byd you hartelie farewell. From Croydon the 12th of December M.D.XCII.

Your loving brother in Christ.

The archbishop of Canterbury's letter to the bishop of Gloucester for an account of his clergy. By the queen's order. Ibid. fol. 199. b.

"SALUTEM in Christo." It is her majesties expresse pleasure and commandment, that you shall make a perfect and particular certificate, and send the same unto me before the beginning of the parliament, to be delivered to her majestie, of all the ministers beneficed, or serving cures, within your diocese, their names, their degrees in schoole, their learning, their conversation, and whether they be preachers or noe, and if they be noe preachers, of what tolerable learning they are, or otherwise; and likewise which of them yourself have admitted

since your being byshop, and in what yeare and time you admitted them; to the intent her majestie may understand the state and qualities of all her clergy in England, and especialllye how her commandment hath byn observed, which was openlie given in parliament; for yt is said that there are as unmeet ministers admitted since, as there were before: you may not fail hereof, nor deale otherwise in your certificate then you will be able to stand to and justifie. And notwithstanding you have peradventure made some such certificate heretofore unto me,

which

Archb. letter to the bish. of GLOCESTER about his clergy. 345

which some of my brethren the byshops have done, but not manie (wherein they have forgott themselves) yet will not that serve the turne, but you must again certifie (as I have before said) and in that due order and forme, that the same may be delivered to her highnes; for soe yt is her pleasure it should be. You must likewise certifie, whom you have deprived for insufficiency and lewdeness of life. I do also pray you not to make anie excuse for absence from the parliament; your presence will be necessary, as well to answer for your self, yf there be cause,

as alsoe for the publick service, and good of the church. And soe requiring you in her majesties name to see the premises duely performed, I committ you to the tuition of God. From Lambeth the 10th of Januarie M.D.XCII.

Your loving brother in Christ,

JO. CANTUAR.

To the reverend father in God my very good lorde and brother the byshop of Glocester.

Archiepisc. Cant.
JOH. WHITGIFT 10.

Anno Christi
1592.

Reg. Angliae
ELIZAB. 35.

The form of submission prescribed by the xxxv. Eliz. C. I. § V. to seditious sectaries.

I A. B. do humbly confesse and acknowledge, that I have greivously offended God in contemning her majesty's godly and lawful government and authority, by absenting my self from church, and from hearing divine service, contrary to the godly laws and statutes of this realm; and in using and frequenting disordered and unlawful conventicles and assemblies, under pretence and colour of exercise of religion: and I am heartily sorry for the same, and do ac-

knowledge and testify in my conscience, that no other person hath, or ought to have any power or authority over her majesty. And I do promise and protest, without any dissimulation, or any colour or means of any dispensation, that from henceforth I will from time to time obey and perform her majesty's laws and statutes, in repairing to the church, and hearing divine service, and do my uttermost endeavour to maintain and defend the same.

The submission prescribed to popish recusants by the statute xxxv. Eliz. C. II. § XVI.

I A. B. do humbly confesse and acknowledge, that I have grievously offended God in contemning her majesty's godly and lawful government and authority, by absenting my self from church, and from hearing divine service, contrary to the godly laws and statutes of this realm. And I am heartily sorry for the same, and do acknowledge and testify in my conscience, that the bishop or see of Rome hath not, nor ought to have any power or authority over

her majesty, or within any her majesty's realms or dominions. And I do promise and protest, without any dissimulation, or any colour or means of any dispensation, that from henceforth I will from time to time obey and perform her majesty's laws and statutes, in repairing to the church, and hearing divine service, and do my uttermost endeavour to maintain and defend the same.

Synodus praelatorum et cleri provinciae Eboracensis.

SYNODUS praelatorum et cleri provinciae Ebor. per breve regium dat. apud Westm. 5. Januar. anno regni xxxv. in ecclesia metropolitana B. Petri Ebor. 20. die Februarii convocabatur; quae deinde diebus sexto, decimo sexto, et vicesimo tertio mensis Martii per continuationes rursus summonita, in domo capitulari eccle-

siae Ebor. conveniebat. Anno sequenti M.D.XCIII. ultimo die mensis Martii, et dein 2. die Aprilis praelati et clerus iterum congregati, subsidium dominae reginae concesserunt. Hoc facto, synodus in 6. et eo die in 20. diem ejusdem mensis continuata fuit.

Archiepisc. Cant.
JOH. WHITGIFT 11.

Anno Christi
1593.

Reg. Angliae
ELIZAB. 36.

Archbishop's letter for contributions towards converted preists. Reg. II. Whitgift fol. 106. a.

"SALUTEM in Christo." Amonge such priestes as come over from beyond the seas to pervert her majesties subjects both in religion and obedience, yt pleaseth God, by conference and other good meanes, to convert some to the truth, to whome alsoe it pleaseth her majestie of her gracious goodnes to graunt pardon; and forasmuch as diverse of them, being

pardoned, are altogether destitute of maintenance, and driven to great extremitie through the same (a great temptation for them to revolt, and a discouragement for others to followe their example of conversion, and a slander to the state) I am moved with christian pity and compassion, to pray your lordship to move the better and wealthier sorte of the clergie within

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your dioces, to yelde some contribution towards their releif, untill they may be otherwise provided for (as some of them are) and the same contribution to send unto me, with as convenient expedition as you may. Our adversaries plentifully rewarde and maintaine such as flye from us to them; and their preistes, whilest they remayned papistes, lacked nothing; a great want of charity therefore, and shame it were for us, after their conversion, to suffer them to begge or else to dye, or to revoult for lack. If it were not for one or two, some of them had ben in that case ere now, who being no longer able

to indure that charge, the poore sowles shal be driven to the before named extremities, without your charitable relief. The burden will be very easie divided among soe manye, which otherwise is importable to such as do now sustayn yt, and therefore I hartelie pray you to have good consideration hereof, and to deale in this case as you would be dealt with in the like; and soe with my verie hartie commendations I committ you to the tuition of almighty God. From Lambeth the 9th of December M.D.XCIII.

Your lordship's loving brother in Christ.

Archiepisc. Cant.
JOH. WHITGIFT II.

Anno Christi
1594.

Reg. Angliae
ELIZAB. 36.

The counccills letter and instructions to the archbishop of Canterbury about recusants.

Reg. II. Whitgift fol. 113. a.

AFTER our hartie commendations to your lordship and the rest. Whereas it is credible enformed, that there be sundry men's wives dwelling within the dioces of Cant. that refuse to come to the church; and that fundrie persons do entertayne, keepe, and releive servants, and others that be recusants, contrarye to the statute made in the last parliament; fithence which time it is likewise notified unto us, that many have shewed themselves rather more obstinate in divers parts of this realme in matter of religion, then anie waies more tractable or conformable; forasmuch as this matter doth verie much importe the true service of God, and the estate of her majestie and her realm, and therefore ought with the greater care and diligence to be looked into; we have therefore thought it expedient to send your lordship in a schedule here inclosed, certeine notes and directions for the more exact and orderly proceeding herein, subscribed by us and the clarke of the counsell, and do verie earnestlie require your lordship etc. with all convenient expediti-

on, to cause diligent enquire to be made of all wyves, servants, and other recusants, within your lordships dioces and jurisdiction, according to the orders and directions prescribed in the said schedule, and to make perfect certificate thereof forthwith to us. So not doubtinge, but your lordship will have that regarde to the due execution herof, as apperteyneth, and as her majestie and our selves do expect, we byd your lordship, etc. verie hartelie farewell. From the court at Windesore castle the 26th of August, M.D.XCIV.

Your lordships etc. verie loving frendes,

Joh. Puckering, C. S.	T. Buckhurst,
W. Burghley.	J. Wolley.
Effex.	J. Fortescue.
C. Howard.	

To our very good lorde, the lord archbishop of Cant. and to our loving frends the deane, ordinarie, and officialls of that diocefs.

Notes and directions to be observed by the lord archbishop, deane, ordinarie, and officers of the diocefs of Cant. in their enquiry after wyves and servants, recusants, etc.

THEY shall first cause diligent inquisition to be made in everye parish, what wyves be recusants, and shall certifie the names, and dwelling places of the husband and wief, and the condition and state of the husband, videlicet knight, esquire, gentleman, etc. They shall cause also enquire to be made, who kepe or releive any servants, or others, that be recusants within their families, or under their commandment, contrary to the statute the xxxvth of her majesties reigne; and for the better knowledge thereof, they shall take strict order, that curates, churchwardens, or sydemen of every parishe do make request to every householder, man or woman, in her majesties name, keeping any number of servants, men or women, above the number of ten, to notifie the names

of all the said servants; and all the names so delyvered and put in writing, the said curate, churchwarden, or sydeman shall expressly require every the said servants to resort to the church, according to the lawe, and of the time of this request to keep a note in writing; likewise after a moneth next after such request the curate or churchwardens shall give notice to every one, that keepeth or releeveth any such servante, or other recusante, and hath not come to any parish church, or to usual place of common prayer to hear divine service, but hath forborne the same for the space of a month, before such notice given, without any reasonable cause. And the order, which the said curate shall use in his admonition, hereafter followeth:
I A. B. curate of the parish of C. doe give notice

notice unto J. S. that the servant of R. N. doth obstinately refuse to come to any church, chappel, or usual place of common prayer, to hear divine service, and hath forborne the same by the space of a month together last past, con-

trary to the lawes and statutes of this realm.

Jo. Puckering, C. S. Ro. Cecyll.
W. Burghley. Jo. Wolley.
Essex. A. Achley.
T. Buckhurst.

Archiepisc. Cant.
JOH. WHITGIFT 12.

Anno Christi
1594.

Reg. Angliae
ELIZAB. 37.

The archbishop's letter touching ecclesiastical courtes. Reg. II. Whitgift fol. 122. b.

AFTER my hartie commendations. It hath pleased the quenes most excellent majestie, by her lettres patentes of commission under the greate seale of England, to require and authorize me and such others as I shall call to myn assistance, to make a diligent and perticular survey and viewe of all and singular courtes ecclesiastical, within my province of Cant. to the effect and purpose conteyned in the articles herein enclosed. I have therefore, for better expedition therof and ease of the subjects from travell, thought good in her highnes name to require you, that forthwith and with all diligence, care, and celeritye, and with as little charge to the subject as may be, you do, by all good and lawfull waies and meanes you can, enquire and seeke to inform your self, towching all and every the contents of the said articles, within the dioces of London, as well in places exempt, or which claime any peculiar jurisdiction whatsoever, as in places not exempt; saving those that be of mine own peculiar jurisdiction of Cant. wherof I mynde to make enquiry by some persons specially thereunto appointed; and that which you shall see find in the premises, without all partialitie or favour of any person whatsoever, to retorne un-

to me fair written and subscribed with your hande, at or before the last day of April next ensyng. Theise shall be also further to require and authorize you, by vertue of the said lettres patentes of commission, to cause such of the said vicars generall, officialls, commissaries, and other inferior judges ecclesiasticall, or their set ordinarie, surrogatts, and such of the said advocates, proctors, officers, clerke, and ministers, as by you shall be thought meet, to take a corporal oath upon the holy evangelistes, that they shall well and faithfully demeane themselves towardes the queens majestie, and her subjects in the execution of their severall offices and places. And soe hoping of your good and indifferent endeavour herin, according to her majesties expectation, and the special trust reposed in you in this behalf, I committ you to Gods holy protection. From Lambeth the 24th of November M.D.XCIV.

Your assured loving friend in Christ.

*To my very good lord the byshop of Wigorn,
Mr. Dr. Andrewes and Mr. Dr. Stanhope,
and to everye of them.*

Archiepisc. Cant.
JOH. WHITGIFT 12.

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Articuli Lambethani compositi ab archiep. Cantuar. Rich. Bancroft, episc. London. Ric. Vaughan, Bangor. episc. Humphr. Tyndall, decano Elien. Doct. Whitaker, regio professore Cantabrig. Ex Fuller. eccles. hist. l. IX. p. 230.

I. **D**EUS ab aeterno praedestinavit quosdam ad vitam, quosdam reprobavit ad mortem.

II. Causa movens aut efficiens praedestinationis ad vitam non est provisio fidei, aut perseverantiae, aut bonorum operum, aut ullius rei, quae infit in personis praedestinatis; sed sola voluntas beneplaciti Dei.

III. Praedestinatorum praefinitus et certus est numerus, qui nec augeri nec minui potest.

IV. Qui non sunt praedestinati ad salutem, necessario propter peccata sua damnabuntur.

V. Vera, viva, et justificans fides et Spiritus Dei justificantis non extinguitur, non excidit, non evanescit in electis, aut finaliter aut totaliter.

VI. Homo vere fidelis, id est, fide justificante praeditus, certus est plerophoria fidei de remissione peccatorum suorum, et salute sempiterna sua per Christum.

VII. Gratia salutaris non tribuitur, non comunicatur, non conceditur universis hominibus, qua servari possint, si velint.

VIII. Nemo potest venire ad Christum, nisi datum ei fuerit, et nisi pater eum traxerit; et omnes homines non trahuntur a patre, ut veniant ad filium.

IX. Non est positum in arbitrio aut potestate uniuscujusque hominis servari.

Matthew Hutton, archbishop of York; did concur in his judgment with these divines, as appears by his letter:

Accepi jampridem literas tuas, reverendissime praeful, veteris illius benevolentiae, et amoris erga me tui plenas; in quibus efflagitas opinionem meam de articulis quibusdam nuper Cantabrigiae agitatiss, non sine aliqua piorum offensione, qui graviter molesteque ferunt matrem

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academiam, jam multitudine liberorum et quidem doctissimorum florentem, ea dissentione filiorum nonnihil contristatam esse. Sed fieri non potest, quin veniant offendicula, neque desinet inimicus homo inter triticum zizania seminare, donec eum Dominus sub pedibus contriverit. Legi articulos et relegi, et dum pararem aliquid de singulis dicere, visum est mihi multo potius de ipsa electione et reprobatione (unde illa dissensio orta esse videtur) meam sententiam et opinionem paucis verbis explicare, quam singulis singillatim respondens, fratrum forsitan quorundam animas (quos in veritate diligo) exacerbare. Meminisse potes, ornatissime antistes, cum Cantabrigiae una essemus, et sacras literas

in scholis publicis interpretaremur, eandem regulam secuti, eam semper fuisse inter nos consensionem in omnibus religionis causis, et ne minima quidem vel dissentionis, vel simultatis suspicio unquam appareret. Igitur hoc tempore, si iudicio dominationis tuae, id, quod pingui Minerva scripsi, probatum ire intellexero, multo mihi minus displicebo. Deus te diutissime servet incolumem, ut tum reginae serenissimae et toti regno fidelissimus consiliarius, tum etiam ecclesiae huic nostrae Anglicanae pastor utilissimus multos adhuc annos esse possis. Vale e musaeo meo apud Bishop-thorp calend. Octob. anno Domini M.D.XCV.

Archiepisc Cant.
JOH. WHITGIFT 13.

Anno Christi
1595.

Reg. Angliae
ELIZAB. 38.

Orders which the reverend father Richard, lord bishop of London, desireth to be assented unto, and carefully observed by every ecclesiastical officer, exercising jurisdiction ecclesiastical under him within the diocese of London, March 5. M.D.XCV.
Reg. Grindall fol. 365. b. seqq.

TOUCHING the constitutions lately imprinted, published, and by her majesty commanded to be observed; that as well every judge, as all registers, apparitours, and all other inferiour ministers doe every one of them, so farr as they doe any way concern himself, diligently and carefully put the said constitutions and every parte of them in execution, and doe within the time in any of the said constitutions limited, return certificate unto his lordship of all such matters, as they by the said constitutions are to certify.

II. It is desired, that none be received or admitted to serve as curate by any judge ecclesiasticall of this diocese, having authority to grant such licence, nor to teach either grammer or "Petitur" either publickly or privately, who shall not, before he be admitted, exhibit unto the judge either letters testimoniall, commonly called dimissories, from the ordinary, in whose dioceses he last continued for the space of one year before; or letters testimoniall under the hands of the master and seniors or fellowes of that colledge in Cambridge or Oxforde, where he had his last residence one year before; or a true certificate under the handwriting of the next justice of peace to the parish, where the partie dwelled for one whole year before; together with the subscription of the parson, churchwardens, and other honest near neighbours of the said parish, testifying his honest conversation of life, and his obedience to her majesties government ecclesiasticall, and that for learninge he be qualified, as the constitutions require in a deacon.

III. It is desired, that no ecclesiastical judge of this dioceses shall have any other seal but one, for the sealing of all matters incident to his office, which seal shall always be kept by himself or his lawfull substitute, exercising jurisdiction for him, remaining within the jurisdiction of the said judge; which seal shall contain the

title of that jurisdiction, which the said judge executeth.

IV. For avoiding the grievances so much complained of against the judges "in partibus" for the multiplicity of their courts, whereby the subject is drawn to an infinite charge, and to a great confusion; it is desired, that neither archdeacon nor commissary doe keep courte any oftner, than as twenty years agoe they usually did, and that in their accustomed and anciently used places of courte; and that neither the commissary nor archdeacon doe keep any courte within seven days, at the soonest, the one of the other.

V. It is desired, that no parish, which is warned to any visitation either of the bishop himself, or of any archdeacon or commissary, doe pay for the exhibiting of any bill of presentment but only once in the year, when the first bill is brought in, and then but four pence; neither that any register or other officer doe take any thing for any of the rest of bills, which the said churchwardens do the other three quarters usually exhibit to their courte.

VI. It is desired, that no ecclesiastical judge of the dioceses of London doe speed any judicial acte whatsoever, assuming any to write or speed the same, save only the ordinary register of that court, or his lawfull deputy; and that the registers "in partibus" doe take that order by themselves, and their lawfull deputies, that they doe give especial attendance on the judges in their ordinarie courtes; and likewise to attend the judge at such convenient times, as the parties, who do at extraordinary times "implorare iudicis officium," shall likewise so require the registers attendance, and that no bonds be taken but in presence of the register or his deputy.

VII. It is desired, that all ecclesiasticall judges, exercising jurisdiction within the dioceses of London, have a speciall regarde to substitute none to keep any court for them, if he be a minister,

ster, who is not a publick preacher and a benefited man; if he be no minister, not any under the degree of batchelour of lawe, and a man of modest and good conversation; the want of which care hath bread great contempt and disdaine to the said courte.

VIII. It is desired, that whosoever prayeth processe against any party "*ad respondendum articulis ad promotionem partis*," shall be by the judge denied that processe, unless he first deliver the articles or the effect of them in writinge to the said judge, and offer "*cautionem obligatoriam*" to the use of the bishop of London to prosecute the cause without letting it fall, or make any composition, or using any collusion to frustrate the direct judicall course thereof.

IX. It is desired, that no ecclesiastical judge whatsoever of the dioces of London doe hear any cause of incest, adulterie, fornication, simony, notorious offensive drunkennes, or any other publick and scandalous offence, but only in open court; neither that any of them doe appoint any penance, to be done for any such offence, but publickly in open court; neither that after they have the lord bishops consent, they do make any commutation, but publickly in open courte.

X. It is desired, that no ecclesiastical judge of the dioces of London doe appoint any publick penance for any of the aforesaid offences, to be done at any other time, save on the Sunday at morning prayer, betwixt the reading of the first lesson, and the Ten Commandments; and that the form of confession of the offendours fault be conceived by the judge, and set down in writing by the register, and a copy of it delivered by the register to be pronounced by the party offending with an audible voice, so as the whole congregation may hear it at the time of his penance doing.

XI. Where great offence hath heretofore been given against the ecclesiasticall judges proceedings "*ex officio*" upon an apparitours complaint, or without any good ground and presentment; it is desired, that the judges of every court ecclesiasticall of the dioces of London, doe give their consent to an uniform order not to proceed in any matter of office, but upon presentment or notoriety of the offence; neither so ordinariely as in some jurisdictions heretofore hath been used to vex the subject, by appointing "*promotorem necessarium*," so to draw a charge of paying for articles, and the promoters fees, many times for small offences, and without any great ground of infamy against the partie, to warrant the judges proceedings: and that the judges will likewise take order, where there is "*clamosa insinuatio*" or publick infamy raised, which is by the churchwardens concealed and not presented; in that case, the judge concealing "*nomen delatoris*" to send the crime and the same thereupon raised unto the churchwardens of the parish, where that offence is related to be, and to cause them to inform themselves against the next court following, or sooner, if they so can, of the said same, and to send to

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the judge of that court, who sendeth unto them their answer in writing unto the said delation: so shall the court to which the cause is first related, be possessed of that cause, and sin shall not escape unpunished.

XII. To help the many complaints, which be made against the concealing of recusants, as well popish as sectaries; every archdeacon and other ecclesiastical judge of the dioces of London, who hath to call any presentments, is desired that betwixt this and Easter terme next, he will carefully inform himself as well by presentment of churchwardens, by other private enquiries, by looking uppon his former presentments, and records, as by all other good means of the christen names, and surnames of every recusant within his jurisdiction, as well man as woman kynd, of their severall degrees, qualities, and livelyhood, how long they have lived within their jurisdiction, how long they have been observed and noted for recusants, and what proceedings hath been against every of them heretofore, either by inditement, or otherwise by ecclesiastical censure, and to return a true certificate unto me, by the beginning of Easter term next, of all recusants, and that they will cause their registers to have a special regard unto the bills, which the churchwardens bring unto them, that both the christen name and surname of every recusant and their title, if they can learn it, be set down, and whether he or she be a popish recusant or a sectarie. And to cause the churchwardens to reform these defects in their bills by some short time.

XIII. It is desired, that no "*Significavit*" be returned into her majesty's high court of Chancery by any ecclesiastical judge whatsoever, who hath not his commission immediate from the bishop for doing thereof; but that all archdeacons and other judges ecclesiasticall doe carefully observe the lawe in that case provided, to send letters of request to the bishop, in case where one "*Significavit*" is by them directed, certifying the contempt and the names of the parties according to the usual form therein by lawe appointed.

XIV. It is desired, that no ecclesiastical judge of the dioces of London shall lay any pecuniarie mulct upon any offendour before publick penance enjoined as before, and the partie delinquent have judicially prayed commutation of it.

XV. To the end that I may the better hereafter answer such complaints, as shall be made against the ecclesiastical courts of this dioces, in compounding or overslipping of enormous offences complained of unto them; it is desired to be assented unto by all judges exercising jurisdiction ecclesiastical within the dioces of London; that every one of them doe once every year, namely betwixt Michaelmas and Allholantide certify unto me, the bishop of London, under the handwriting of every judge, and his severall registers, the names and surname of all persons, who are presented or detected unto them for any incest, adultery, fornication, simonie, notorious offensive drunkennes, or a-

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ny other publick scandalous offence; howmany of them have performed any publick penance, and what it was, together with the day and form he did it in; howmany of them stood excommunicated in not appearance; howmany in not performing the penance so enjoined them, and how long they have so stood excommunicate; howmany of them have appealed from the judge, who proceeded against them; what court hath inhibited the judge, and how long they have stood inhibited for that cause; howmany of them have had their penance commuted, by what warrant it hath been done, and to what uses the mony so ordered to be commuted for, hath been employed.

XVI. It is desired, that every ecclesiastical judge exercising jurisdiction within London dioces, shall by Easter next certifie under his handwriting to me, the bishop, the number of all the churches within every deanery, subject to his jurisdiction, the names of all the apparitours, who do serve under him, the names of every deanery, for which he serveth; to the end that the multiplicity of them be restrained, according to the constitution in that behalf lately authorisid.

XVII. It is desired, that no apparitour whatsoever be appointed administrator of the goods

of any defunct, unless he be "proximus consanguineus" to the party, or a creditor "bonae fidei" without collusion; neither letters "ad colligendum" (which are not to be granted without the bishops own consent to any partie) shall be granted to any apparitour.

XVIII. It is desired, that every apparitour be bound by the judge, under whom he serveth, not to vex the subject with extortion, and that he shall make a true return of all processes committed to him to execute; that he shall not keep back any excommunication, suspension, interdiction, or sequestration, or other matter incident to his office delivered him to execute, but shall make true return of all matters committed to his charge, to execute according to the time by the judge of the court limited unto him.

XIX. It is lastly desired, that the archdeacons shall require all ministers, especially those, who preach at any visitation, in their sermons to stir up the churchwardens and fidemen to a respective care and conscience of their oathes, in discharging for their parts, their duties for punishment of sin, and all offences, which they are charged by the articles delivered to them to make enquiry of.

Archiepisc. Cant.
JOH. WHITGIFT 13.

Anno Christi
1596.

Reg. Angliae
ELIZAB. 38.

Archbishop's letter for admonition for preachers. Reg II. Whitgift fol. 145.

"**S**ALUTEM in Christo." Upon advertisement out of all partes of the realme of the dearth of all manner of grayne, and that in moſte parte of the realme, the pryſes thereof are exceſſively riſen; her maſteſtie, conſidered how the ſame is inhanſed, eſpeciallie within theſe two or three months, doth impute the fault thereof aſwell to the covetous diſpoſition of the farmers and engroſſers of corne, that ſeek all exceſſive and ungodly lucre by hording up of corn, and making more ſcarcity then there is, and in ſome part to the neglect of the execution of ſuch good orders, as have been deviſed for the due ſerving of the markets, and avoiding theſe abuſes that are practized by covetous perſons to inhanſe the priſes of corne; her maſteſtie therefore, of the princely care ſhe hath of the porer ſorte of the people, doth conſider, that they having theſe two laſt yerſes ſuffered great penurie and hardnes by the dearth of corne and other victualls, whereby they have ſpent that little they had, ſhould now by rayſing of priſes of corn to ſo great rates be driven to very great miſery and extremitie, if order ſhould not be taken to redreſſe, as much as may be, theſe inconveniencies, hath, of her moſt princely care ſhe hath of her loving ſubjects, publiſhed a proclamation, and commanded the lordes and others of her maſteſties moſt honorable privy counsell, in her name, to recommend by theſe lettres earneſtly the execution of thoſe orders, that were ſet forth the laſt yere to the ſheriffs and juſtices of peace in the ſeve-

ral counties of the realme; who if they ſhall perform their duties to ſee the ſame obſerved, according to her maſteſties earneſt deſire, and as they ought to doe, there is good hope that there will be that plentie found in the realme, as may conveniently ſerve the land at reaſonable priſes: howbeit forasmuch as this covetouſe humor doth growe chiefly by want of that chriſtian charity, which men ought to have, and for that alſoe, of all other kinde of lucre that is moſt ungodly, that is gotten by pinching and ſtarving of the poore people; it is moſt fit and neceſſarie that the preachers ſhould generally in their ſermons admoniſh the farmers, and owners of corne, of this diſhoneſt and unchriſtian kinde of ſeeking gain by oppreſſion of their poor neighbours, and recommend to the richer ſorte keeping of hoſpitality, for the relief of the poore; and likewise that howſekeepers being of wealth would be content in their own diet to avoid exceſſe, and to uſe fewer diſhes of meate in this time of dearth, and to forbear to have ſuppers in their howſes on Wendneſdaies, Frydaies, and faſtinge daies, whereby much might be ſpared, that would be better beſtowed a great deale on the relief of the poore; and in like manner to admoniſh gentlemen and others of meaner ſorte, that keepe kennel of howndes, that they ſhould better to forbear the keeping of dogges in theiſ tymes of dearth, and to convert that they ſpend ſuperfluouſly that way, to the relief of the poorer ſorte; and in no caſe to forget to reprove that untollerable exceſſe of eatinge

inge and drinking, that is commonly used in alehouses, and other like places of common resort. Theis and other such like exhortations I earnestly pray and require your lordship, in her majesties name, to recommend to the preachers and ministers of your diocess, to be used with all earnestness and discretion, and alsoe that your lordship give order, that such as are beneficed reside upon their benefices, to give good example to others in using hospitalitie, almes,

and relieving of the poor neighbours; and that such as doe not reside upon their benefices, give order to their farmers, that dwell upon them, to keepe howse therein, whereby the poor may be relieved: whereof, and of all the premises I doubt not but that you will have a due and special care. And soe I committ you to the tuition of almighty God. From Croydon the 10th of August M.D.XCVI.

Archiepisc. Cant.
JOH. WHITGIFT 14.

Anno Christi
1596.

Reg. Angliae
ELIZAB. 39.

The archbishop's letter to the bishop of London concerning fasting and prayers.
Reg. II. Whitgift fol. 149. a.

AFTER my hartie commendations to your lordship. Amongest all our sins, whereby we have provoked God justlie to plague us with this dearth and scarcitie, it is to be thought that none have been more forceable therunto, then our excesse and riot in diet, and the wastefull consuming of his owne creatures; for supply of which present scarcitie towards the poorer sorte, the quenes majestie hath every way shewed a most princely care, and gracious tender affection, not only by causing the marketts to be duly served, and greate store of graine to be provided from forraine partes freely, without paying any custome; but alsoe a most virtuous and godly soveraign daylye studieth to quallify the mischief by taking away the cause of yt. Therefore for redresse of that abuse, and prevention of further punishment by like scarcity; her majestie hath straightly commanded me to signifie by my lettres, that it is her highnes expresse pleasure and absolute commandment, that publique prayers, according to the book of Common Prayer, in every severall parish church and chappel, be on all Wednesdaies and Frydaies hereafter devoutly used, and diligently frequented; that such as be of better abilitie doe in the fear of God use a greater moderation then hertofore in their dyet; but namely, that by none, of what degree soever, anie fleshe be dressed or eaten on such daies, as by law stand already prohibited, other then such as by reason of infirmity be lawfully thereunto licensed; and that not only on Fridaies, and other daies by lawe already appointed for fasting daies, noe suppers at all be provided and taken by anie, either for themselves or howsholde, but alsoe that every one not letted by greivous weakness, do abstain from suppers altogether on each Wednesdaie at night, to the intent that what is by forbearance of that meale, and at other meales, by abstinency from all superfluous fare fruitfully spared, may presently, especially by the wealthier sorte, be charitable converted to the relief and comfort of the poor and needie; so as notice therof may be taken, according to her majesties gracious expectation, at the handes of all such her dutifull subjectes, as be respective of her royal commandments. In this behalf your lordship is alsoe to geve special order, that the collections for the poore in every parish may

be carefully made, and in respect of the great want charitable by those, who be of good abilitie, increased, and duely and seasonably bestowed for the succour of the most distressed. It is further likewise required by her majestie, that those, which have howsholds, do not for sparing, dischardge anie of their howshold to shift for themselves, nor themselves to sojorne from their usual habitation. And because the example of ecclesiastical persons may induce men, as well as their teaching in this behalf; all such as have benefices must be enjoined to reside on their livinges, to keep hospitality, and releive their neighbours; and such as have pluralities, in conscience ought to do the like by their farmers, and such as rent their livinges at their handes; but there must a verie watchful eye be carried by the minister and churchwardens in every parish, or by such charitable discreet men, as they shall nominate and appoint, unto all inns, taverns, and victualing howses, how both the keepers of them with their howsholde, and alsoe the gesse and resorters to their howses do observe theis her majesties commandments. Now for the better publishing her highnes gracious pleasure in the premises, your lordship must take precise order, that every minister in the dioces do diligentlie recommend the observati- on of them unto the people in their severall charges, and also do from tyme to tyme, in their sermons and exhortations, earnestlie and pythelie exhorte and stir up every of them to fervent prayer, both publique and private, to abstinencye, fasting, true humiliation, to forbear all excesse, to releive the poore and needy by good howsekeeping, by setting them on worke, and by other deeds of almes and brotherlye compassion. And considering the most princely and gracious care her majesty hath for their relief, and that all good meanes should be used for the succour and help of them in theis tyme of dearth; the people must be du- ly taught to endure this scarcitie with patience, and especiallie to beware how they geve eare to any perswasions or practises of discontented and idle brains, to move them to repine or swarve from the humble duties of good sub- jects, to the further offence of God, and dis- contenting of her majestie, that hath so ten- der a care of their welfare. And for that her majestie

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majestie would be enformed, how duely these orders shall be observed, as her special care is they should; your lordship is therefore to procure a certificate, to be made unto you monthly, by every the ministers and churchwardens, conteyning as well the names of disobedient delinquents in anie the premises, as of those welldisposed persons, who have had a dutiful regard of her majesties commandment, and a charitable compassion for the relief of the poore; to the intent that once every quarter the said certificates being transmitted over unto me, I may satisfie her majesties gracious ex-

pectation, touching the successe and fruite arising by theis godly orders: but your lordship is to forsee and to geve special direction, that the prescript of these letters be in every several parish observed, without calling or suffering persons of other parishes to assemble themselves, as some hertofore offensively of their own heads have attempted, under colour of general fastes. And thus I committ your lordship to Gods holye protection. From Lambehith this 27th of December, M.D.XCVI.

Your lordships loving brother in Christ.

Archiepisc. Cant.
JOH. WHITGIFT 15.

Anno Christi
1597.

Reg. Angliae
ELIZAB. 39.

Convocatio episcoporum et cleri provinciae Cantuar. Ex MS. Mil. Smith apud Thom. episc. Aflaven.

EA per breve regium ad 25. diem Octobris in ecclesia S. Pauli London. summonita, in tribus prioribus sessionibus pro more solito omnia exequabatur.

In quarta sessione (Nov. 18.) the archbishop present sends for the prolocutor and lower house: layes before them many disorders in the church.

1. Ministers excessive apparell. 2. Prebendaries neglects in cathedrals. 3. Disorderly marriages. 4. Divorces slightly passed. 5. Multitude of somners. 6. Calling in of men by information of somners without presentment by churchwardens and sidemen. 7. Somners farming their places. 8. To enquire the number of somners heretofore, and how many should be in each diocese.

In sessionibus sequentibus a quinta ad vicesimam secundam, de tribus subsidiis reginae concedendis, de processibus adversus contumaces, et substitutionibus archiepiscopi nomine praesidendi, actum fuit.

In vicesima tertia sessione (Januarii 25.) the archbishop present produces the queen's letters patents of license, containing ecclesiastical constitutions made by him and the bishops and the clergy in this convocation ratified and approved by the queen.

In vicesima quarta et quatuor aliis sequentibus sessionibus nihil, quod adnotari meretur, actum est, donec tandem 10. die Februarii contumacibus suspensis, convocatio virtute brevis regii dissoluta fuerit.

Capitula sive constitutiones ecclesiasticae per archiepiscopum, episcopos, et reliquum clerum Cantuariensis provinciae in synodo inchoata Londini 25. die mensis Octob. anno Domini M.D.XCVII. regnique serenissimae in Christo principis, dominae Elizabethae, Dei gratia Angliae, Franciae, et Hiberniae reginae, fidei defensoris, etc. XXXIX. congregatos tractatae, ac postea per ipsam regiam majestatem approbatae et confirmatae, et utrique provinciae, tam Cantuariensi, quam Eboracensi, ut diligentius observentur, eadem regia auctoritate sub magno sigillo Angliae promulgatae.

Ut homines idonei ad sacros ordines, et beneficia (uti vocant) ecclesiastica admittantur.

PRIMO cautum est, ne quis posthac ad sacros ordines suscipiatur, qui non eodem quoque tempore praesentationem sui ipsius ad beneficium aliquod intra dioecesim sive jurisdictionem ejusdem episcopi, a quo sacros ordines petit, tunc vacans exhibuerit; vel qui non eidem episcopo certum, verum, et indubitatum certificatorium attulerit de ecclesia aliqua intra dioecesim sive jurisdictionem dicti episcopi, in qua curae animarum inservire possit; vel qui in aliqua cathedrali aut collegiata ecclesia, vel collegio Cantabrigienfi aut Oxoniensi non fuerit constitutus; vel saltem qui ab eodem episcopo in beneficium aliquod, sive ad curam (uti vocant) interveniendum tunc etiam vacantem, non sit mox admittendus.

Deinde, ne quis episcopus posthac aliquem in sacros ordines cooptet, qui non ex sua ipsius dioecesi fuerit; nisi vel ex altera nostratium academiarum prodierit; vel nisi literas (ut loquuntur) dimissorias ab episcopo, cujus dioecesanus existit, attulerit, et vicesimum quartum aetatis suae annum jam compleverit, ac etiam in altera dictarum academiarum gradum aliquem scholasticum susceperit; vel saltem nisi rationem fidei suae juxta articulos illos religionis in synodo episcoporum et cleri approbatos, Latino sermone reddere possit, adeo ut sacramentorum literarum testimonia, quibus eorundem articulo- rum veritas innitur, recitare etiam valeat; ac ulterius, de vita sua laudabili, et morum integritate literas testimoniales sub sigillo, vel alicujus collegii Cantabrigienfis aut Oxoniensis, ubi antea moram fecerit, vel alicujus justitiarum ad pacem dominae reginae conferendam

vandam assignati, una cum subscriptione et testimonio aliorum proborum et fide dignorum hominum ejusdem parochiae, ubi per tres annos ante proxime elapsos commoratus est, exhibeat. Utque hi sacri ordines diebus tantummodo dominicis, ac festivis, idque publice ac tempestive in ecclesia, ubi episcopus moram traxerit, conferantur: proviso semper, ut utriusque academiae collegiorum focii, qui suorum collegiorum statutis ad sacros ordines intra certum tempus suscipiendos tenentur, hoc decreto (quantum ad aetatem attinet) non obligentur. Quodsi vero aliquis episcopus aliquem ad sacros ordines admiserit, qui praedictis qualitatibus non sit praeditus, is per archiepiscopum, assidente sibi hac in parte uno alio episcopo, ab ordinatione ministrorum et diaconorum per integrum biennium suspendatur, ac eam praeterea poenam incurrat, quae de jure in ejusmodi episcopos, qui ad ordines ecclesiasticos sine titulo aliquem promovebunt, statuitur.

Adhaec, ne quis episcopus aliquem in beneficium (uti vocant) instituat, nisi qui praedictis conditionibus ornatus fuerit.

Si vero curia de arcubus aut audientiae per viam duplicis querelae, seu alio quovis modo contra episcopum hac in parte agat, quia homines minime idoneos ac habiles admittere renuit; tunc licebit archiepiscopo vel auctoritate propria, vel gratia speciali a regia maiestate impetrata, ejusmodi processus amputare, quo laudabilis episcopi industria debitum ea ratione fortiatum effectum.

Denique, ut quolibet anno ad festum sancti Michaelis archangeli, vel intra sex hebdomadas, idem festum subsequentes, unusquisque episcopus numerum, nomina, gradus, et qualitates eorum omnium, quos in sacros ordines, vel in aliqua beneficia eodem anno praecedente promoverit, ad archiepiscopum transmittat.

De beneficiorum pluralitate cobibenda.

Quod nemini in posterum facultas sive indulgentia concedatur de pluribus beneficiis simul retinendis, nisi hujusmodi tantum, qui pro eruditione sua et maxime digni, et ad officium suum plenius praestandum maxime habiles et idonei censebuntur; nimirum, ut is, qui hujusmodi facultate fruiturus est, sit ad minimum artium magister, et publicus ac idoneus verbi divini concionator: ita tamen ut idonea etiam cautione obstrictus teneatur, de personali sua residentia in singulis beneficiis per bonam anni cuiusque partem faciendam, et quod ejusmodi beneficia triginta milliarius spatio ad summum non distent abinvicem. Denique quod idoneum curatum habeat, qui plebem ejus parochiae, in qua non residebit, instituat ac informet, modo facultates ejusdem beneficii talem commode sustinere posse, archiepiscopo, vel jus dioeceseos episcopo videbuntur.

Ut beneficiati in suis beneficiis curatis hospitalitatem exercent.

Quoniam ecclesiarum cathedralium canonici sive praebendarii ecclesiastica beneficia curata alibi saepius possident, et tamen praetendentes

se ratione praebendarum suarum a residentia in curatis beneficiis liberos et immunes, ad cathedrales convolant, ibique moram faciunt longiorem; unde nec curae parochianorum illis commissae satis prospicitur, nec pauperes domi suae (sicuti difficultas hujus temporis exigit) aluntur atque sustentantur; idcirco nos huic malo providere desiderantes, decernendum censemus, ut omnes et singuli canonici sive praebendarii, qui beneficia curata unum sive duo obtinent (nec residentiarii necessarii in suis ecclesiis cathedralibus existunt) ultra tempus, quo in cathedralibus residere tenentur, a beneficiis suis curatis pretextu praebendarum se non absint: et si aliqui eorum, qui ad necessariam residentiam in ecclesiis cathedralibus non tenentur, ultra tempus unius mensis aliquo anno in ecclesia illa cathedrali moram traxerint, eos arctari volumus ad familiam in beneficio suo curato (non obstante mora in cathedrali) alendam, et hospitalitatem exercendam toto reliquo tempore, quo a curato abfuerint. Quod autem ad eos attinet, qui ad residentiam in ecclesiis cathedralibus faciendam, per ordinationes illius ecclesiae obligantur, et communis dividendae participes sunt; eos ita inter se anni tempora parti volumus, quoad residentiam in cathedralibus habendam, ut eorum aliqui in ecclesiis illis semper adsint et personaliter resideant. Ac quo haec omnia melius peragantur, episcopi, vel alii, ad quos per ecclesiae statuta vel ordinationes pertinet, in suis respective ecclesiis diligenter providebunt.

Ut decani et canonici in ecclesiis cathedralibus suis vicibus conciones habeant.

Cum beneficium propter officium conferri debeat, aequum existimamus, ut ecclesiarum cathedralium decani, et canonici omnes, et singuli, qui in sacris ordinibus sunt constituti, et ad conciones habendas in ecclesiis suis cathedralibus, de jure, statutis, ordinationibus, aut laudabili consuetudine illius ecclesiae tenentur, in personis suis propriis eas praestent, nec vicaria in ea re opera utantur, nisi ex causa aegritudinis, aut alia legitima impediti, concanicum suum, vel alium in theologia eruditum, ac ad concionandum auctoritate sufficienti approbatum, sua vice substituant. Quodsi qui hujusmodi decani aut canonici officium ea in re neglexerint, per episcopum, vel eos, ad quos jurisdictio pertinet, quoad se debite correxerint, suspendantur.

De moderandis indulgentiis pro celebratione matrimonii absque trina bannorum denunciatione.

Quandoquidem honestae, clarae, ac illustris conditionis homines, sive urgente aliqua necessitate, sive aliis non contemnendis rationibus, matrimonium aliquando celebrandi causas habere possunt, facultate sibi de bannis matrimonialibus aut non omnino, aut semel iterumve denunciandis indulta, sine aliquo gravi scandalo seu detrimento; idcirco ad evitanda generaliter quae hac in parte notantur incommoda, visum est caveri, ne ullae facultates sive indulgentiae de celebrando absque bannis matrimonio concedantur,

cedantur, nisi idonea cautio prius sub hisce conditionibus ineatur; nimirum, primo quod nullum postea constabit impedimentum pracontractus, consanguinitatis, affinitatis, vel ullius alterius legitimae causae cujuscunque ratione.

Secundo, quod eo tempore, quo ejusmodi facultas five indulgentia concedetur, nulla controversia, lis, seu querela mota est, vel dependet coram aliquo iudice ecclesiastico aut civili, de ejusmodi legitimo impedimento matrimonii, inter hujusmodi personas contrahendi, aut contracti. Ac tertio, quod ad nuptiarum solemnizationem non accedent, nisi assensu et expresse consensu parentum, five tutorum prius impetrato; et ulterius, quod matrimonii celebratio publice ac tempestive in facie ecclesiae fiet. Cujus quidem cautionis formula seu exemplar in scriptis concipietur, ac unicuique episcopo in sua cujusque dioecesi imitanda proponetur.

Praeterea adjiciendum putamus, ne cuiquam liceat, episcopalem dignitatem non obtinenti (commisario ad facultates, ac vicariis generalibus archiepiscopi et episcoporum, sede plena, et sede vacante, custodibus spiritualitatis ac ordinariis, episcopalem jurisdictionem de jure exercentibus, in suis jurisdictionibus respective exceptis) licentiam celebrandi matrimonia sine bannis concedere; ea vero duntaxat per se, ac sub manuum suarum subscriptione, non per deputatos aut surrogatos suos, nec aliis, quam suae jurisdictioni subditis concedatur. Nulli autem cujuscunque sexus, dignitatis, aut ordinis (in parentum seu gubernatorum cura et regimine existenti) concedatur, nisi prius constiterit de expresse consensu parentum vel gubernatorum suorum (si forte parentes excefferint e vita) idque parentum significatione, aut gubernatorum iudici personaliter facta, vel chirographis ipsorum, quibus fidem habendam esse non putamus, nisi per nuncios honestae conditionis et famae illaefae mittantur, qui fidem faciant se de parentum aut gubernatorum manu chirographa hujusmodi recepisse veris nominibus ac cognominibus per hujusmodi nuncios designandorum; cujus chirographi exhibitionis, ac iuramenti per nuncium praestiti actum conscribi volumus. Nec vero aliis concedantur hujusmodi indulgentiae, quam illustres et clarae conditionis hominibus, nisi urgens necessitas interceserit, eaque iudici cognita fuerit.

Praeterea in ipso dispensationis five licentiae tenore, ecclesia habitationis five commorationis alterius contrahentium, vel parentum et gubernatorum suorum exprimatur, et tempus diei etiam congruum, nempe inter horas octavam et duodecimam ante meridiem assignetur.

Nec sine indulgentia a competente iudice concessa, minister aliquis matrimonium celebret, nisi trina bannorum denunciatione, per legitima intervalla, interveniente, sub poena constitutionibus provincialibus praescripta.

Provisio semper, quod quicumque contra hanc ordinationem deliquerit, ab executione officii per superiorem per sex integros menses suspendatur; et licentia hujusmodi viribus carebit, et pro nulla quoad poenam personis clandestinas

nuptias celebrantibus imponendam habebitur.

De sententiis divortii non temere ferendis.

Et quia matrimoniales causae inter majores hucusque semper habitae fuerunt; idcirco cum de matrimoniis in judiciis disceptatur, cautius agi oportet, praesertim vero cum matrimonium in ecclesia solemnizatum, praetextu aliquo separari, vel nullum pronunciari postuletur. Aequum igitur visum est,

Primum ut in hujusmodi divortiorum et nullitatis matrimonii processibus deliberate procedatur, ac quantum fieri poterit, rei veritas testimonium depositionibus, aliisque probationibus legitimis eruatur, nec partium confessioni (quae in his causis saepe fallax est) temere confidatur.

Tum ut nullae posthac sententiae vel separationis a thoro et mensa, vel nullitatis matrimonii ferantur, nisi publice, ac pro tribunali, et de scientia et consensu vel archiepiscopi, intra provinciam suam, vel episcopi intra propriam dioecesim, decani de arcubus, iudicis audientiae Cantuariensis, aut vicariorum generalium, aliorumve officialium principalium, vel, sede vacante, custodum spiritualitatis, aut aliorum ordinariorum, quibus de jure competit in suis respective jurisdictionibus ac curiis, atque inter suae jurisdictionis subditos tantum, deinde et in sententiis, quando ad separationem thori et mensae tantum interponuntur, monitio et prohibitio fiat, ut a partibus abinvicem segregatis caste vivatur, nec ad alias nuptias, alterutro vivente, convoletur; denique quo postremum illud firmitus observetur, sententia separationis non antea pronunciabitur, quam qui eam postulaverint, cautionem fidejussoriam sufficientem interposuerint, se contra monitionem et prohibitionem nihil commissuros.

Judex autem, qui sententiam separationis seu divortii tulerit, et praemissa omnia non praestiterit, per tres integros menses ab executione officii sui per dioecesanum suum suspendetur; et sententia separationis contra formam praedictam lata, pro nulla ad omnem juris effectum habebitur, ac si omnino lata non fuisset.

De excessibus circa excommunicationem reformandis.

Quia excommunicationis usus in ecclesia perpetuae legis vigorem jam obtinuit, atque in omni jurisdictione ecclesiastica exercenda hucusque retinetur, ideo absque grandi mutatione totius ejusce jurisdictionis et plurimarum hujus regni legum innovari vel alterari nequit; nihilominus ut excommunicatio (quae auctoritatis ac disciplinae ecclesiasticae quasi nervus quidam, ac vinculum habenda est) ad pristinum suum usum, decus et dignitatem reducatur; cautum est, ut quotiescunque censura ista in immediatam poenam cujusvis notoriae haereseos, schismatis, simoniae, perjurii, usurae, incestus, adulterii, seu gravioris alicujus criminis venerit infligenda, sententia ipsa, vel per archiepiscopum, episcopum, decanum, archidiaconum, vel praebendarium (modo sacris ordinibus et ecclesiastica jurisdictione praeditus fuerit) in propria persona pronunciabitur, una cum ejusmodi

di frequentia et assistentia, quae ad maiorem rei auctoritatem conciliandam conducere videbitur.

Denique, quod unusquisque vicarius generalis, officialis, seu commissarius, qui ordines ecclesiasticos non susceperit, eruditum aliquem presbyterum sibi accerset et associabit, qui sufficienti auctoritate, vel ab ipso episcopo in jurisdictione sua, vel ab archidiacono (presbytero existente) in jurisdictione sua munitus, idque ex praescripto ipsius iudicis tunc praesentis, excommunicationis sententiam pro contumacia denunciabit.

Volumus etiam, sicut constitutum est, ejusmodi excommunicationem per ministrum ecclesiae denunciari; ita ipse iudex de absolutione ipsius rei post satisfactionem suam peractam, eundem ministrum certiores faciet, qui eandem absolutionem populo publice denunciabit: ac interim quod bene licebit dicto ministro, reum a sacris arcere et repellere, tanquam in ecclesiam minime recipiendum, donec ejusmodi certificationem ab ipso iudice exhibuerit.

De recusantibus et aliis excommunicatis publice denunciandis.

Curent ordinarii locorum, ut tam excommunicati ex eo quod divinis precibus intra hoc regnum Angliae publica auctoritate stabilitis interesse pertinaciter recusaverint, quam ii etiam, qui propter aliam quamcunque causam legitimam excommunicationis sententia innodati fuerint, nisi intra tres continuos menses post latam excommunicationis sententiam se emendaverint, et absolutionis beneficium obtinuerint, singulis sex mensibus sequentibus, in ecclesia cum parochiali, tum etiam cathedrali dioecesis, in qua habitant, pro excommunicatis publice denuncientur. Teneantur etiam ordinarii praedicti de praemissis omnibus et singulis quolibet anno intra festa sancti Michaelis et natalis Domini, archiepiscopum hujus provinciae in scriptis certiores facere.

De moderanda solennis poenitentiae commutatione.

Neque fiat posthac solennis poenitentiae commutatio, nisi rarioribus gravioribusque de causis, atque adeo cum ipsi episcopo constiterit, eam esse ad reum reconciliandum et reformandum saniores et tutiores rationem.

Deinde quod multa illa pecuniaria vel in relevamen pauperum ejusdem parochiae, vel in alios pios usus erogetur, idque ecclesiae solenniter et firmiter approbetur et innotescat.

Quodsi vero crimen fuerit notorium ac publicum, reus ipse vel in propria sua persona publice in ecclesia poenitentiam suam minime fictam profitendo, laesae ecclesiae satisfaciet, vel ecclesiae minister in praesentia ipsius rei, palam e suggestu ejus submissionem, et poenitentiae suae coram ordinario suo peractionem, atque etiam in verae suae resipiscentiae testimonium, quantam pecuniarum summam in usus supra dictos erogandam reddiderit, denunciabit.

Quicumque vero absque episcopi dioecesani notitia poenitentiam commutaverit, aut pecu-

niam ratione commutationis hujusmodi solutam, in alios usus, quam supra est expressum, converterit, vel aliter praesentem hanc constitutionem violaverit; is ab executione officii sui per eundem dioecesanum per tres integros menses suspendetur.

De feodis, quae officiariis ecclesiasticis et eorum ministris debentur.

Cautum insuper volumus, quod neque alia, neque majora feoda ab episcopo, ordinario, archidiacono, vel eorum ministris deinceps ulla de causa percipiantur, quam ea, quae, ineunte hoc regnum regia nunc maiestate, percipi solebant; quodque tabula quaedam, singulorum hujusmodi feodorum summas continens, in quolibet consistorio ante festum sancti Johannis Baptistae proxime venturum figatur, cujus exemplar manu ipsius ordinarii subsignatum intra tempus praedictum ad archiepiscopum transmittetur.

Jam vero quia dubium esse potest, quaenam certa feoda pro singulis negotiis expediendis, in singulis respective foris ecclesiasticis quadraginta abhinc annis percipiebantur, nisi quae usus frequentior succedentibus ab eo tempore annis monstraverit atque approbaverit; ideo decernendum putamus, ut citra ultimum diem mensis Maii proxime sequentem episcopus quilibet, vel, sede aliqua episcopali vacante, custos spiritualitatis ibidem curet, tabulam manu jus dicentis ejusque registrarii subscriptam publice figi, vel in loco quolibet ubi jus ab illo dicetur, vel alias publice in ejusdem jurisdictionis archivo, ita ut quivis ejusdem tabulae inspiciendae facultatem habeat: quae quidem tabula in se continebit separatas summas singulorum feodorum, quae tam a iudice, quam a singulis aliis officiariis ac ministris ejusdem curiae frequentius ac usitatus ab initio regni dictae serenissimae reginae usque ad decimum octavum maiestatis suae annum percipi consueverunt. Curabit praeterea quilibet episcopus, vel, sede vacante, custos spiritualitatis, ut quilibet iudex hujusmodi citra ultimum diem praefati mensis Maii episcopo suo, vel custodi spiritualitatis fidele et authenticum exemplar tabulae feodorum praemissorum in archivis episcopi custodiendum tradat; qui vero contra fecerit, is ab executione officii sui per ordinarium suum immediate superiorem eoque suspendetur, donec praemissa modo et forma superius specificatis perfecerit.

Quorum omnium exemplarium, singuli episcopi provinciae Cantuariensis, vel custodes spiritualitatis fidele et authenticum instrumentum in pergamento conscriptum, ad archiepiscopum citra ultimum diem mensis Octobris proxime futurum transmittent.

Poenam vero cujusque officarii, ac ministri majora feoda, quam quae in hujusmodi tabulis respective exprimentur percipientis, suspensio erit per sex menses ab executione officii sui per ordinarium suum infligenda, vel ordinario negligente, aut id facere omittente, per archiepiscopum, qui alium delinquentis loco interim deputabit.

Provisio semper, quod si alicubi dubium fuerit, quae feoda usque ad praedictum decimum octavum regiae majestatis annum usitatissime percepta fuerint; tum ea feoda pro legitimis habebuntur, quae per archiepiscopum Cantuariensem sub manus suae subscriptione approbantur, nisi statuta hujus regni Angliae jam antea edita, alia in quocunque casu feoda expresse praestituerint.

Provisio insuper, quod neque archiepiscopo neque episcopo, vel directe, vel indirecte aliquam pecuniarum summam pro admittendis ad sacros ordines hominibus accipere licebit, idque sub poena juris.

De excessibus apparitorum reformatis.

Praeterea quoniam excessibus et gravaminibus, quae per apparitores inferri dicuntur, remedium cupimus adhibere opportunum, videtur ut apparitorum multitudo, quantum fieri poterit, restringatur; non igitur licebit episcopis vel archidiaconis, eorumve vicariis seu officialibus, aliisque inferioribus ordinariis deputare et habere plures apparitores, jurisdictionibus suis respective inservientes, quam ante viginti annos praeteritos, vel ipsi, vel praedecessores sui habere consueverunt, qui omnes per se suum fideliter exequantur officium, nec per nuncios aut substitutos quocunque quaesito colore, sua vice mandatorum executiones demandent, aut permittant, nisi ex causa ab ordinario illius loci prius cognita et approbata. Tum ut promotorum officii, vel denunciatorum personas omnino non sustineant, feoda ampliora vel majora, quam quae his constitutionibus superius statuuntur, non exigant.

Quod si plures quam superius est expressum deputati, vel illorum aliqui praemissa violaverint, deputantes, si episcopi existant, moniti per superiorem supernumerarios dimittant. Inferiores vero episcopis ordinarii, ab executione officii suspendantur, donec hujusmodi deputatos amoverint, deputati autem ipsi ab apparitorum officio moveantur perpetuo, et si amoti non desistant, tanquam contumaces canonicis censuris coerceantur.

Praeterea in causis officii et correctionis ne quae fiant citationes generales quae vulgo, "Quorum nomina dicuntur," nisi partes citandae veris nominibus expressis per registrarium in ipsa schedula citatione annexa, et sigillo munita scribantur, eademque schedula jus dicentis manu subscribatur, sub poena coercionis ecclesiasticae per dioecesanum delinquenti infligenda.

De registris in ecclesiis salvae custodiae committendis.

Et quia registra in ecclesiis, quorum permagnus usus est, fideliter volumus custodiri: pri-

mum statuendum putamus, ut in singulis visitationibus admoneantur ministri, et oeconomi ecclesiarum de injunctionibus regiis ea in re diligentius observandis.

Deinde ut libri ad hunc usum destinati, quotius reservari et ad posteritatis memoriam propagari possint, ex pergamento sumptibus parochianorum in posterum conficiantur; iisque non modo ex veteribus libris chartaceis transumpta nomina eorum, qui regnante serenissima domina nostra Elizabetha, aut baptismatis aqua abluti, aut matrimonio copulati, aut ecclesiasticae sepulturae beneficio affecti sint, suo ordine sumptibus parochianorum inscribantur; sed eorum etiam, qui in posterum baptizati, vel matrimonio conjuncti, aut sepulti fuerint.

Ac ne quid vel dolo commissum, vel omisum negligenter redarguatur, quae per singulas hebdomadas in hisce libris inscripta nomina fuerint, ea singulis diebus dominicis post preces matutinas aut vespertinas finitas, aperte ac distincte per ministrum legantur, die ac mense, quibus singula gesta sunt, sigillatim adjectis.

Postquam autem paginam aliquam integram multorum nominum inscriptio compleverit, tum ministri, tum gardianorum ipsius parochiae subscriptionibus volumus eam communiri.

Idemque in transumptis ex veteribus libris chartaceis, paginis singulis fieri, sed diligenti, ac fidei prius habita collatione; neque vero in unius cujusquam custodia librum illum, sed in cista publica, eaque trifariam observata reservandum putamus, ita ut neque sine ministro gardiani, nec sine utrisque gardianis minister quicquam possit innovare.

Postremum est ut exemplar quotannis cujusque anni auctae nominum inscriptionis ad episcopi dioecesani registrum per gardianos infra mensem post festum Paschatis transmittatur, et sine feodo ullo recipiatur, atque in archivis episcopi fideliter custodiatur.

Quicunque vero in praemissis eorumve aliquo deliquerit, is, ut delicti qualitas jusque postulerit, puniatur.

Quae omnia capitula five constitutiones, omniaque et singula in eisdem contenta, regia majestas per suas literas patentes, gerentes dat. apud Westmonasterium decimo octavo die Januarii, anno regni sui quadragesimo, ratificavit, confirmavit, ac stabilivit, ipsaque ab omnibus regni sui subditis utriusque provinciae, Cantuariensis et Eboracensis, quatenus eorum aliquem concernunt, diligenter exequenda, ac observanda auctoritate sua regia proposuit, promulgavit, et per easdem literas patentes sic per eos observari praecepit, injunxit, et mandavit, prout in eisdem literis patentibus sigillo magno Angliae sigillatis plenius liquet et apparet.

Archiepisc. Cant.
JOH. WHITGIFT 14.

Anno Christi
1597.

Reg. Angliae
ELIZAB. 39.

Exemplar licentiae, seu facultatis matrimonii absque trina bannorum promulgatione celebrandi in singulis episcopatibus observanda.

Licentia ubi uterque vel alter contrahentium sub parentum vel gubernatorum potestate existit.

R. permissione divina London. episcopus, dilectis nobis in Christo D. C. parochiae de B. filio naturali et legitimo J. C. parochiae de F. generoso, et N. O. puellae, filiae naturali et legitimae B. O. parochiae de M. nostrarum L. dioeceseos et jurisdictionis, salutem. Cum vos (uti asseritur) ad solemnizationem matrimonii veri et legitimi de expresso consensu, et assensu parentum et gubernatorum vestrorum, ac utriusque vestrum procedere decreveritis; illudque in facie ecclesiae cum ea, qua fieri poterit, maturata celeritate solemnizari facere et obtinere magnopere desideretis; nos volentes ut honesta haec vestra desideria debitum celerius consequantur effectum, et ut matrimonium hujusmodi in ecclesia de F. [exprimendo ecclesiam alterius contrahentium, vel parentum aut gubernatorum suorum] per rectorem, vicarium, seu curatum ejusdem ecclesiae, bannis matrimonialibus unica voce tempore solemnizationis ejusdem matrimonii (uti moris est) publice editis, libere et licite solemnizari facere et obtinere possitis et valeatis, post cautionem fidejussoriam sufficientem ex parte vestra interpositam, juxta constitutiones auctoritate regia nuper editas; dummodo vobis ratione consanguinitatis, affinitatis, praecontractus, vel alterius causae cujuscunque de jure prohibita nullum legitimum in ea parte obstiterit impedimentum, nec ulla lis, controversia, seu querela mota sit vel pendeat coram aliquo iudice ecclesiastico vel civili de matrimonio aliquo contracto vel allegato cum alterutro vestrum; et ministro ecclesiae praedictae prius constiterit, vos ad hujusmodi matrimonii celebrationem accedere de et cum expresso consensu parentum vel gubernatorum vestrorum; ac modo matrimonii hujusmodi cele-

bratio publice in ecclesia de F. praedictae fiat inter horas octavam et duodecimam antemeridianas, absque tamen praejudicio ministri ecclesiae de M. ubi dicta N. O. parochiana existit, licentiam et facultatem tam vobis contrahentibus, quam rectori, vicario, aut curato ecclesiae praedictae designatae matrimonium hujusmodi inter vos solemnizandi sub modo et forma superius specificatis, juxta ritus libri publicarum precum auctoritate parlamenti in ea parte editi et stabiliti, necnon omnibus aliis Christi fidelibus eidem solemnizationi interessendi, ex certis causis legitimis et rationabilibus per nos approbatis, quatenus in nobis est, et jura regni patiuntur in hac parte, benigne concedimus et impertimur per praesentes.

Proviso semper, quod si alteruter vestrum clarioris aut illustrioris conditionis sit, quam nobis suggestum est, et quam ex cognomine et additamento in his literis insertis colligi facile potest, aut si aliqua fraus in posterum appareat vel falsitatis nobis suggestae vel suppressae veritatis tempore hujus licentiae obtentae; tunc haec licentia nostra irrita sit ad omnem juris effectum ac si omnino concessa non fuisset: et eo casu inhibemus quibusvis ministris (modo praemissorum aliquod eis innotuerit) ne ad solemnizationem dicti matrimonii procedant, nisi nobis, aut vicario nostro in spiritualibus generali prius consultis. In cujus rei testimonium, etc.

[The minister shall not solemnize this marriage without the consent of their parents or governors, who are hereby licensed to marry.]

Si utraque pars contrahens in viduitate existens ad secundas nuptias convolare facultatem petat, tum omnes clausulae parentum consensum requirentes omitti possunt; sed parochiae utriusque contrahentis in licentia exprimendae sunt, ac parochia ubi matrimonium celebrabitur, designanda.

Archiepisc. Cant.
JOH. WHITGIFT 15.

Anno Christi
1597.

Reg. Angliae
ELIZAB. 40.

Convocatio episcoporum et cleri provinciae Ebor. Ex reg. Ebor.

CONVOCATIO haec per breve regium dat. apud Westm. 23. die Augusti, anno regni xxxix. summonebatur, ad comparendum in ecclesia metropolitana S. Petri Ebor. 25. die mensis Octobris. Quo die Matthaeus, archiepiscopus Ebor. causam hujus synodi comparentibus breviter exposuit et declaravit. Ea, quae fuerit,

die 9. mensis Decemb. (ad quem diem per continuationes diversas synodus continuata fuit) asseritur, nempe ad concedendum subsidium dominae reginae, quod illo die factum, et convocatio per alias diversas continuationes de die in diem prorogata est usque ad 16. diem Februarii sequentis.

Archiepisc. Cant.
JOH. WHITGIFT 15.

Anno Christi
1598.

Reg. Angliae.
ELIZAB. 40.

The archbishop's letter for armour. Reg. III. Whitgift fol. 97. a.

"**S**ALUTEM in Christo." I have receaved letters from the lordes, and others of hir majesties most honourable privy counsel, signifieng that hir majestie, seeing that those meanes of lenitie and forbearance, that have been used to reduce the rebells of Irelande to acknowledgment of their offence and obedience, hath not taken effect, but encreased their pride, is now purposed with the assistance of God almighty to subdue them by force; and to that ende there are certain numbers of horse and foote levied in all the counties of the realm; and though the severall shires be deeplie charged, and the principall recusants likewise, yet the number of horse doth fall out shorte of that proportion, which is to be sent at this present; and therefore by hir majesties direction they are commanded to asseffe upon the bishops and deans a competent number, that is at this present to be sente thither, whereof they have also sent a note unto me, how the same may be supplied by the lords bishops and the deanes: signifieng further, that the last time the like service was required, the most part of the horse were so bad, by reason of the long journey they made to the sea side, and the negligence of riders etc. as they were returned back, to the great los of those that did furnishe them, and disappointment of her majesties service; that therefore it is now required, that there shall be xxx. l. sent for every horse, the furnishing

thereof, and of the horseman, that is to be sent with the same, with which money, order shall be taken to have both fitt and servisable horse, and good furniture provided. And forasmuch as I am required, that all possible speed may be used for the levying of this money, so that the same may be delivered to Sir John Stanhope, knight, treasurer of her majesties chamber, within 15. daies next after the recepte of their lordships letters, which I received the day of the date hereof, and that your lordship in the note sent unto me by their lordships is allotted to two horse, which comes to lx. l. and the deane of Paules to one horse, which comes to xxx. l. theise are to require your lordship in her majesties name to provide the said money, and to require the dean of Paules likewise to provide his, the same to be delivered within the tyme by their lordships limited, to Sir John Stanhope, knight, appointed for the recepte thereof: and thus much by authority from the lordes in hir majesties name; but if your lordship call for some help of the wealthiest of your clergie, both for your own ease and the ease of the dean, I think it will not be ill taken. And so with my hartie commendations I committ your lordship to the tuition of the almighty. From my house at Cant. 18. Julii M.D.XCVIII.

Your loving freind and brother.

Archiepisc. Cant.
JOH. WHITGIFT 16.

Anno Christi
1598.

Reg. Angliae
ELIZAB. 40.

The archbishop's letter touching marriages. Ibid. fol. 100. a.

"**S**ALUTEM in Christo." Whereas by the constitutions made in the last convocation, and by her majesty under the great seal confirmed, amongst other things the ordinarys power is limited in graunting of licenses for celebrating of marriages within a competent tyme, fit for so holie an action, namely betwixt the houres of eight and twelve in the forenoon, and to a prescribed place, that is, to the parish church where the parties to be married, or their parents, or governors do dwell; and where by the said constitutions, no minister is warranted to marrie any parties, unless he have a licence sufficient from such ordinary, as by the said constitutions is warranted to grante it, or that the banes be three severall festival daies published at tyme of morning prayer, the penalty whereof is by the provincial constitutions, that the minister that doth offende, shal be suspended from his function for three yeares: all this notwithstanding, there come dayly complaints unto me out of severall partes of this province, that some ministers, neither regarding hir ma-

jesties pleasure, nor carefull of our credit, do marrie some couples in private howses; others do marrie those, who come to be married at unseasonable howres; others never stay asking the banes three severall festival daies (as is by law prescribed) but do aske them twise upon some holiday, and the third tyme the next morning when they are married, as if ordinaries were to be restrained, and ministers set at large to breake all good orders. For redresse and prevention of all which disorders, I have thought good, and do hereby require your lordship, to give both publique and particular warning to all the ministers of or within your diocess, that they observe as well the howres, as the place, limited in the foresaid constitutions, not otherwise to marry any either licensed or by banes published, and marrie only such inhabitants within their parishes (not licensed otherwise) who are three severall festival daies publickely asked, upon the penalty in the provincial constitutions inflicted, which your lordship and your officers, whom in that case it concerneth, are

are to have a vigilant care to see diligently observed, for the avoiding of all future scandals and offences, which may justly grow thereon. Wherein nothing doubting of your lordship's diligent care, I commit you to the tuition of

almighty God. From Lambeth the ninth daie of November, M.D.XCVIII.

Your loving brother in Christ.

Archiepisc. Cant.
JOH. WHITGIFT 16.

Anno Christi
1598.

Reg. Angliae
ELIZAB. 40.

Letter from the same for certificates to be made according to the late canons.
Reg. III. Whitgift fol. 100. a.

"**S**ALUTEM in Christo." Whereas in the ecclesiastical constitutions in the laste convocation made, and published by her majesties authority, amongst other things, it was ordered and decreed, that every year at the feast of St. Michael the archangel, or within six weeks next after the said feaste, your lordship, and the rest of my brethren, the bishops of this province, should send certificates to me of the number, names, degrees, and qualities of all such as have been promoted unto holy orders, or been admitted into any benefice by you, in the year next before past; and where it is likewise by the same constitutions decreed, that you should every yere between the feast of St. Michael, and the birth of our saviour Christ, send in the names as well of all those which be excommunicated for their obstinate refusing to be present at divine service, established by publique authority within this realme, as also of all other persons lawfully excommunicated, and have so continued three months together without amendment, and unabsolved, and have every six months following been denounced and published to be excommunicate persons, both in their own parish church, where they dwell, and in your cathedral church; and another certificate, on thisside the last daie of October now last past, of the tables of fees due unto you and your archdeacons, and other officers, and ministers of ecclesiastical courts, within your diocese; all which to do you have utterly neglected, which argueth that you have not that

vigilant care in executing other partes of the said constitutions, as you ought, and as hir majestie expecteth. And for that I myself may (I know not how sone) be called to an accompt by her majestie, how the said constitutions be observed and putt in ure, and particularlie in those things aforesaid; these are therefore to admonish and require you ("in virtute juramenti de canonica obedientia praestanda") to send unto me forthwith, the foresaid severall certificates in the said constitutions mentioned, by the way of publick instruments under your episcopal seal, for the more credit of them, and to be more carefull hereafter in certifieng of those things, which are yerely to be certified, than hitherto you have been; otherwise I shall be drawn to take such course herein by proceeding against you and your officers, not only as violaters and contemners of their canonical obedience in that behalf due; but also of her majesties authority and expresse commandment. And so being not a little grieved with your grosse negligence and carelesnes herein, and expecting due amendment and reformation, as well in the premises, as in the execution of all the other partes of the said constitutions, for the good of the church, and our own creditts, I committ you to the tuition of almighty God. From Lambeth the 9th of November, M.D.XCVIII.

Your loving brother in Christ.

The attorney generall's letter touching recusants. Ibid. fol. 101. a.

AFTER my very hartie commendations. Whereas I am given to understande, that divers recusants standing excommunicate for their recusancie, doe intende and goe about to procure themselves to be absolved in your courts by their procurators, without making their personal submission, which is contrarie to lawe and to the great prejudice of her majestie; for that they afterward mean to continue recusants, and cannot be indicted for the same; I have thought it good therefore to signifie the same unto you, hoping that from thenceforth you will have a special care, that you suffer no recusant, being excommunicated, to be absolved without making their personall submission accordingly.

And so I committ you to God this 12th of November, M.D.XCVIII.

Your assured loving freind,

EDW. COKE.

To my loving freinds Mr. Dr. Binge, deane of the arches, Mr. Dr. Stanhope, chancellor to my lords grace of Cant. Mr. Dr. Dun, judge of the audience, Mr. Dr. Gibson, judge of the prerogative; and to all other judges exercising jurisdiction ecclesiastical within the province of Cant. and to every of them.

Archiepisc Cant.
JOH. WHITGIFT 16.

Anno Christi
1598.

Reg. Angliae
ELIZAB. 41.

The archbishop of Canterbury's letter touching contribution for the Irish war.
Reg. III. Whitgift fol. 102. b.

"**S**ALUTEM in Christo." I thinke these present occasions, wherby her majestie is drawn to bend hir forces to the subduing of the rebells in Ireland, who seeke to shake off their obedience to her highness; and sending hir navie to the sea, to prevent forreine forces both from thence and from this kingdome likewise, it is not unknown unto you; which bringeth so great and present a charge unto her majestie, that if some extraordinarie releife be not had, it will not be possible for hir to sustaine the same, notwithstanding her majestie hath borrowed great summes of money and is upon sale of divers portions of her revenues; in which respect the lords of hir majesties privy counsaile finding by experience, that the long peace, which under her highnes, next after God, we have most peaceably enjoyed theise fortie yeares, as it hath filled the whole land with plentiful abundance, so hath no one state of the kingdome reaped greater fruit of it than those, who in all her majesties courts of justice, either ecclesiastical or temporal, have spent their time either in administration of justice, or as ministers and officers of those courts have followed the same. They have thereupon thought it most necessary, that every one of them, who hath any government or charge in any court of justice, do deal particularly with those, who either judicially serve in those courtes, or as ministers and officers do attend them, or otherwise as pleaders do follow them, to advise every one of them particularly, freele, and willinglie to offer unto her highness some voluntary contribution towards this hir great and infinite charge, as a token of their dutifull thankfulness for the great benefits, which they have received by her highnes most vigilant care for their increased livelyhood in her peaceable courtes of justice. Herein your lordship doth well remember what cause those, who live by anie ecclesiastical jurisdiction, have to be as forward, or forwarder, than anie other; especially for that they, and the jurisdiction which they exercise, hath onely by hir majesties great goodness hitherto been protected and remained without impeachment, though the same hath been by divers, as you know, diversly assaulted. And therefore so soon as I understood of this most temperate and discreet course taken in other temporal courtes, which as I hear will be liberal; I held it fit to addresse my letters to your lordship, to acquainte you with the particular manner of this proceeding,

whereby your lordship may with good expedition follow the same. A booke is by your lordship to be made, wherein is to be sett down the severall names of every judge, who exerciseth any ecclesiastical jurisdiction within your dioces whatsoever, together with the particular names of everie register of any of those courtes, as also of the advocats and proctors, who do practize in anie, or every of them. Theise are every one to be called particulerlie before your lordship, who can sufficiently lay down unto them the cause of their so calling, and declare what is fit in this case for them to do and so advising them to a willing, voluntarie contribution according to their abilities towards this so great burthen. Your lordship is to receive of every one of them what he shall think fit to give, wherein if any shall shew themselves either slacke or backward, it will be good for him to think, that if he be hereafter delte with in his private, as he now dealeth undutifully in the publicke, he hath none to blame but himself; beinge unworthy to be accounted a member of that body, which he suffereth, so much as in him lieth, to perish through his unnaturalnesse. This money so received from every one, the particular somme is to be sett down in the booke upon his name, who paieth it, and the booke being signed by your lordship, together with the whole summe of money so received, is to be sent up unto me, and by me to be offered from your lordships ecclesiastical courtes, wherby her highness may take knowlege of the respective care of her loving subjects, who live in the ecclesiastical jurisdiction to offer a voluntary easing in some part of that great charge, which her highness is at for the continuance of their rest. Your lordship remembreth that the season of the year draweth on very fast for sending of her highness forces unto Ireland, and present supplie of money is to be made for furnishing of them; I am therefore to require your lordship that presentlie, upon receipt hereof, you use all speedy forwardness in putting these letters in execution, and that with like expedition you do return the mony with the booke in form above sett down, wherby her majesty may understand your care in furthering this service. Soe I bid your lordship right hartelie farewell. From Lambeth this twelveth day of February, M.D.XCVIII.

Your loving brother in Christ.

Archiepisc. Cant.
JOH. WHITGIFT 16.

Anno Christi
1598.

Reg. Angliae
ELIZAB. 41.

The archbishop of Canterbury's letter to the archbishop of York about the same.
Reg. III. Whitgift fol. 103. a.

"**S**ALUTEM in Christo." I thought it good to let your grace understand, what in respect of these present occasions is thought necessary to be done by all her majesties true and loving subjects; and first of all by the persons mentioned in my lettres to the bishops of this province, a copie whereof I send unto you herewith, it is expected you should do the like in your province, whereof you are to take notice by these my lettres, and not to expect (for any thing I yet knowe) anie further notice. I doubt not, but that you conceive my meaning, and that you will endeavour by all meanes you can,

to accomplish this necessary duty in every ecclesiastical court within that province, and to make as much speede as may be to send up this voluntary contribution. I write unto you as to my good freind, knowing what is expected, and the necessitie thereof. And so with my hartie commendations I commit you to the tuition of almighty God. From Lambeth this 13th day of February, M.D.XCVIII.

Your loving brother in Christ,

JO. CANTUAR.

Archiepisc. Cant.
JOH. WHITGIFT 16.

Anno Christi
1599.

Reg. Angliae
ELIZAB. 41.

The bishop of London's letter to the bishop of Peterborough touching the certificate of fees. Ibid. fol. 105. a.

AFTER my hartie commendations unto your lordship. His grace willed me to signify unto you, that the certificat, which was sent unto him, is of fees only belonging to your consistorie and the officers therof, and sealed with your chancellors seale; whereas you should have kept those in "archivis propriis," and have sent unto his grace "fidele et autentikum instrumentum in pergameno conscriptum," of all fees ecclesiastical due unto yourself, your chancellor, archdeacons, and all other exercising ecclesiastical jurisdiction within your diocess, and of your, and their officers, and ministers fees; and in case any exercising ecclesiastical jurisdiction within your dioces, hath not fulfilled the canon in this behalf made, his grace looketh they should be by your lordship proceeded against according to the constitution, for his or their negligence therein. His grace willed

me further to signify to your lordship, that he presently looketh for your certificate under your own hand and episcopal seal, of all fees ecclesiastical due within your diocesse, as well unto your self, and your chancellor, and archdeacons, and your, and their officers, and ministers, according to the true meaning of the canons in that behalf made; otherwise his grace shal be forced to take such course therin, as he is unwilling to doe. Upon the receipt of your lordships certificate you shall receive backe again the certificate, you sent, to remaine with you in your records; the true copie wherof Doctor Hickman saith, he hath. And so not doubting, but your lordship will have speciall care to satisfie his grace in the premises, I leave you to the Almighty, this 24th of May, M.D.XCIX.

Your lordship's lovinge freind.

The archbishop of Canterbury's letter about certificates. Ibidem.

"**S**ALUTEM in Christo." Whereas I have heretofore, about the midst of Michaellmas last, written letters unto your lordship for particuler certificates to be sent unto me, according to the ecclesiastical constitutions made and published by hir majesties authority, and as yet have not received them all from you, in such sorte as by the constitutions is appointed; theise are therefore to pray you to peruse the said constitutions, and every particuler, which by them is to be certified, and with speed, to proceed against all such your officers, as have not done their duties in certifyeng you, and to

send your, and their certificates to me, for and concerning all such things, as should have been hertofore returned unto me, at or before Bartholomewe tyde nowe next comming, and to have care that all other certificates, which are to be made to me hereafter, be sent up, as by the said constitutions is appointed, otherwise I shall be forced to proceede against you in other course then I am willing. And so hopinge of your care herein, I leave you to the Almighty, this nynth of June, M.D.XCIX.

Your loving brother in Christ.

Archiepisc. Cant.
JOH. WHITGIFT 16.

Anno Christi
1599.

Reg. Angliae
ELIZAB. 41.

Ordinatio de moderanda solennis poenitentiae commutatione. Ex reg. III. Whitgift
fol. 163. a.

NE qua fiat posthac solennis poenitentiae commutatio, nisi rarioribus gravioribusque de causis, atque adeo cum ipsi episcopo constiterit, tam esse ad reum reconciliand. et reformand. saniozem et tutiozem rationem.

Deinde quod multa illa pecuniaria vel in levamen pauperum ejusdem parochiae, vel in alios pios usus erogetur, idque ecclesiae solenniter et fideliter innotescat.

Quodsi vero crimen fuerit notorium ac publicum, reus ipse vel in propria sua persona publice in ecclesia poenitentiam suam minime fictam profitendo laesae ecclesiae satisfaciet; et ecclesiae minister in praesentia ipsius rei, palam e fug-

gestu ejus submissionem, et poenitentiae suae coram ordinario suo peractionem, atque etiam in verae suae recipiscentiae testimonium, quantum pecuniarum summam in usus supradictos erogandam reddiderit, denunciabit.

Quicumque vero absque episcopi dioecesani notitia poenitentiam commutaverit, aut pecuniam, ratione commutationis hujusmodi solutam, in alios usus, quam supra est expressum, converterit, vel aliter praesentem hanc constitutionem violaverit, is ab executione officii sui per eundem dioecesanum per tres integros menses suspendetur.

Archiepisc. Cant.
JOH. WHITGIFT 17.

Anno Christi
1600.

Reg. Angliae
ELIZAB. 42.

Clementis papae viii. bulla plenariae indulgentiae Hibernis contra reginam Elizabetham insurgentibus. Paper office.

CLEMENS, papa viii. universis et singulis venerabilibus fratribus, archiepiscopis, episcopis, et praelatis, necnon dilectis filiis principibus, comitibus, baronibus, ac populis regni Hiberniae salutem et apostolicam benedictionem. Cum jamdiu, sicut accepimus, vos Romanorum pontificum, praedecessorum nostrorum, ac nostris, et apostolicae sedis cohortationibus adducti, ad vestram libertatem recuperandam, eamque adversus haereticos tuendam et conservandam, bonae memoriae Jacobo Geraldino primum, qui durum servitutis jugum vobis ab Anglis sanctae Romanae ecclesiae desertoribus impositum, summo animi ardore depellere, dum vixit, pro viribus procuravit; deinde Johanni Geraldino, ejusdem Jacobi consobrino, et novissime dilecto nobili filio viro Hugoni principi Oneil, dicto comiti Tironensi, baroni Dungananiae, et capitaneo generali exercitus catholici in Hibernia, conjunctis animis ac viribus praesto fueritis, ac opem et auxilium praestiteritis; ipsique duces et eorum milites, manu Domini exercituum illis assistentes, progressu temporis plurima egregia facinora contra hostes viriliter pugnando praestiterint, et in posterum praestare parati sint; nos, ut vos, ac dux et milites praedicti alacrius in expeditionem hanc contra dictos haereticos opem in posterum etiam praestare studeatis, spiritualibus gratiis et favoribus vos prosequi volentes, eorundem praedecessorum nostrorum exemplo adducti, ac de omnipotentis Dei misericordia, ac beatorum Petri et Pauli, apostolorum

ejus, auctoritate confisi, vobis omnibus et singulis, qui praedictum Hugonem ducem, ejusque exercitum, catholicae fidei assertores et propugnatores sequemini, ac illis vos adjunxeritis, aut consilio, favore, comitatibus, armis, aliisque bellicis rebus, seu quacunque ratione eis in hac expeditione operam dederitis; ipsis Hugoni duci, ejusque exercitus militibus universis et singulis, si vere poenitentes et confessi, ac etiam, si fieri poterit, sacra communione refecti fueritis, plenariam omnium peccatorum suorum veniam et remissionem, ac eandem, quae proficiscentibus ad bellum contra Turcas, et ad recuperationem terrae sanctae per Romanos pontifices concedi solita est, misericorditer in Domino concedimus. Non obstantibus, si opus sit, nostra de non concedendis indulgentiis ad instar, ac suspensionis indulgentiarum occasione anni Jubilaei, aliisque constitutionibus et ordinationibus apostolicis, caeterisque contrariis quibuscunque. Verum, quia difficile foret praesentes nostras ad omnium, quorum interest, notitiam pervenire; volumus, ut earum exemplis etiam impressis, manu alicujus notarii publici subscriptis, ac sigillo personae in dignitate ecclesiasticae constitutae munitis, eadem fides ubique habeatur, quae eisdem praesentibus haberetur.

Dat. Romae apud sanctum Petrum sub annulo piscatoris die 18. Aprilis, M.DC. pontificatus nostri anno nono.

Archiepisc. Cant.
JOH. WHITGIFT 18.

Anno Christi
1600.

Reg. Angliae
ELIZAB. 43.

The archbishop of Canterbury's letter touching recusants. Reg. III. Whitgift fol. 122. a.

AFTER my hartie commendations unto your lordship, theise are to signifie unto you, that upon my conference had with the right honorable the lord keeper, touching the excessive number of recusants, which daily growe, for that they are not proceeded against; it is thought fitt and convenient, and so his lordship desireth, that you make in authentique forme under your episcopal seale one certificate or "Significavit," directed to her majestie, conteining all the names, surnames, additions, and places of habitation or common abode of all such popish recusants, as have been excommunicated, and soe published and denounced in their parish churches sithence the establishing of the last ecclesiastical constitutions by hir most excellent majesty, and that have and do stand excommunicated above forty daies; praying hir

majesties writt "De excommunicato capiendo," as in this behalf is requisite, and in the like is accustomed, and to sende the same unto me against the beginning of the next terme, to be delivered unto the lord keeper, who will give further order for the sending out of writt "De excommunicatis capiendis," against those recusants for their apprehension, without anie further charge to you or anie your officers. And so praying your lordship to be careful, and to use speede herein, I leave you to the tuition of the Almighty. From Lambeth this 19th day of December, M.DC.

Your lovinge brother in Christ,

JO. CANTUAR.

Archiepisc. Cant.
JOH. WHITGIFT 18.

Anno Christi
1601.

Reg. Angliae
ELIZAB. 43.

A letter written by the archbishop of Canterbury's order about recusants. Ibid. fol. 123. a.

IT may please your lordship to understand, that whereas my lords grace of Canterbury did the 19th day of December last past, write letters to your lordship, praying you to make, in authentique forme under your episcopal seale one certificate or "Significavit," directed unto her majestie, of all popish recusants within your diocesse, and to send the same unto his grace against the beginning of the last terme, which your lordship hath deferred, and not yet done the same; I do therefore by theise my letters (according to his graces commandment given unto me) pray and require your lordship forthwith to send the same "Significavit" unto his grace; and also, for that my lord keeper is de-

sirous to understand the particular estate of all the recusants within your diocesse, to certify his grace in particular of each of them, the general estimation of the countries, of everie of their abilities, or at the least which of them are of the best ability, most dangerous, and likest to do hurt, by drawing the inferior sorte by their examples to the like obstinacy. And thus praying your lordship to be careful therein, I commit your lordship to the Almighty. From London the second of April, M.D.CI.

Your lordships loving freind to be commanded,

ED. STANHOPE.

Archiepisc. Cant.
JOH. WHITGIFT 18.

Anno Christi
1601.

Reg. Angliae
ELIZAB. 43.

Convocatio episcoporum et cleri provinciae Cantuar. Ex. MSS. Mil. Smith
apud episc. Assaven.

CONVOCATIO haec per breve regium ad 18. diem mensis Octobris in ecclesia S. Pauli London. summonebatur: ubi peractis sacris, lectisque certificatoriis, domus inferior prolocutorem eligere jubetur, et absentes contumaces pronunciantur.

In secunda sessione (Octob. 31.) in ecclesia B. Petri Westm. post protestationem decani Westm. et responsum archiepiscopi, D. Sutcliffe prolocutor electus, confirmatus est, ac commissio ab archiepiscopo nonnullis episcopis et decano Cantuar. ejus nomine synodo praesidendi tradita.

In tertia et aliis sequentibus sessionibus usque ad decimam septimam nihil memoratu dignum

gestum est, praeter concessionem quatuor subsidiorum.

In decima octava sessione (Dec. 21.) the archbishop present exhorts the bishops to be diligent in their charges, and carefull to observe the canons of the last convocation: and particularly gives them caution of these things following, viz.

I. Not to proceed in court upon apparitors promoting without churchwardens presentment, or other just inquisition.

II. That ecclesiastical judges hold not too frequent courts, nor oftner than once in five Weeks.

III. That

III. That chancellors and officials call not men to severall courts for the same fault.

IV. To have yearly but once, not quarter bills of presentments.

V. To take care that the curates of non-residents be able persons, and have good allowances.

VI. That none but chancellors grant licenses for marriage.

In hac sessione, postquam contumaces suspensi fuissent, breve regium convocationem dissol-

vit.

IN "EBORACENSIS" provincia synodus virtute brevis regii dat. apud Westm. 2. die Septembris, anno regni xliii. convocabatur in ecclesia metropolitana S. Petri Ebor. die 28. mensis, Octobris, et post unam alteramque prorogationem, ultimo die mensis Novembris subsidium dominae reginae concedebatur. Tandem tertio post parliamenti dissolutionem die, brevis regii virtute dat. 21. Decemb. anno regni xliv. synodus haec dissolvebatur.

Archiepisc. Cant.
JOH. WHITGIFT 19.

Anno Christi
1601.

Reg. Angliae
ELIZAB. 43.

The archbishop of Canterbury's letter to the bishops touching their commissaries and officiall courts. Reg. III. Whitgift, fol. 124. b.

"**S**ALUTEM in Christo," There have divers complaints been made to personages of great place, who have acquainted me therewith, that by reason of the often keeping of courtes by commissaries, and by the archdeacons officialls, and by the multitude of severall apparitors serving under them, the subject is almost vexed weekly with attendance on their severall courtes, to their infinite charge and dailie vexation; and further, that by a disorder not long since crept into those courtes, without warrant of making quarter bills of presentments, whereas their visitations are holden but once, or at the most, twice in every yeere, so as what with churchwardens continual attendance on those courtes, and their dayly vexation by new processe and excommunications, if they miss but one day of their quarter bills, besides the general charge which every parish beareth for their churchwardens attendance on those courtes (which in many places cometh to more then is by a whole parish for anie one ceasement payed to hir majestie) the poor men, who are chosen churchwardens, by their continual attendance on those courtes, are in their estate, as they allege, hindred greatly in leaving their daie labour for attendance there. These and divers like complaints are dayly brought unto me, with a general exclamation upon commissaries and officiall courtes, for such like grievances of the subject. I had well hoped that the constitutions made the last convocation, and your lordships promise to see them duely executed (knowing how our ecclesiastical jurisdiction was then spurned at) would have prevented these abovenamed, and all other like complaints; but I fear the greediness of meen inferior registers and apparitors under your lordships commissaries and archdeacons is so rooted in them, as it will breed a greater blemish then hitherto hath commed upon our whole jurisdiction, unless your lordship do with a more vigilant care prevent that mischief. These are therefore to pray and require your lordship, presently upon receipt of these letters, to call before yourself, your chancellor, commissarie, and all your archdeacons or their officialls, where there be any under you, and to cause them to bring unto you their records of their courtes, keeping for

matters of office, used about the third and fourth yeare of hir majesties reigne, and that your lordship will out of them take a true extract, signed with the judges and registers own hand, certifying these three particular points. First, How often the churchwardens of every parish did bring in their bills of presentment at that time, whether quarterlie or noe? Secondly, How often either your commissaries or your officialls did keep their courtes in every quarter, and how long time difference there was betwixt your commissaries courtes and the archdeacons officialls? And lastly, What number of apparitors every commissary, and every archdeacon, or his official had within your lordships diocese at that time? This being by your lordship truelie found out, I am further to pray and require you to enforme your self, under all your foresaid officers, and their severall registers hands, what bills nowe are quarterly, or otherwise brought in by the churchwardens of every severall parish within your diocese to everie of them (for that it is informed that every parish is quarterly charged with as great a charge for certifying of recusants, as they are for bills of presentments) and what is payed either to apparitor or register for making or exhibiting of these severall billes (for I doe not heare that the judges have any fee due for these exhibitts.) Your lordship is likewise required to inform yourself, what difference is at this present betwixt the multiplicite of these courtes within your said diocese, and those in former tymes, as also of the number of apparitors belonging to all those offices, over those which were of twentieth yeares before the last parliament. In all or every of these if your lordship shall find any alteration, then for the avoyding of those pernicious complaints daily brought up hither, and so open contempt of the last canons, your lordship is hereby required to do your best endeavour to reduce all these enormities unto the former forme, both of making bills of presentments, of reducing the number of those inferior courts to their former listes, and of the restrayning the great vexations of the subject by multiplicite of apparitors; and for that myself desire to be satisfied in my care, and promised help in reforming these

theise abuses; I doe hereby pray and require your lordship, that by the last day of July next ensuing, you do transmitt unto me, under your lordships own hande, all the particulers above sett downe, together with your lordships order taken for reforming the premises, and for bring-

ing of them to their former course; and soe I byd your lordship hartily farewell. From Lambeth this two and twentieth of May, M.DC.I.

Your lordship's loving brother in Christ,

JO. CANTUAR.

Archiepisc. Cant.
JOH. WHITGIFT 18.

Anno Christi
1601.

Reg. Angliae
ELIZAB. 43.

Breve regium pro decimis.

Reg. Whitgift III. fol. 128. a.

ELIZABETH, Dei gratia Angliae, Franciae, et Hiberniae regina, fidei defensor, etc. reverendissimo in Christo patri domino Johanni, miseratione divina Cant. archiepiscopo, totius Angliae primati et metropolitano, salutem. Cum nuper per literas vestras, aut per literas nuper praedecefforum vestrorum figillis vestris auctenticis sigillatas, acceperimus, diversos incumbent. firmarios, proficuorum receptores, et alios occupatores beneficiorum, et promotionum spiritualium, in quadam schedula praesentibus annexa content. et specificat. renuere et recusare solvere, ad usum nostrum, separales decimas separalium beneficiorum, et promotionum, in dicta schedula content. multa et poena statutorum in ea parte edit. omnino spretis et neglectis; nos vero volentes eosdem separales incumbent. firmarios, proficuorum receptores, et alios occupatores separalium beneficiorum, in dicta schedula content. et eorum quemlibet contempt. et neglect. officii sui debita afficere poena, certis de causis nos specialiter moventibus, ac de fidelitatibus et providis circumpectionibus vestris plurimum confidentes, assignavimus vos, et nihilominus volumus et mandamus, quod vos in caeterorum terrorem, ubi maxime videritis expedire, per ministros vestros idoneos, illos, aut saltem eorum aliquos, sic renuentes et recusantes, per deprivationem, aut aliter pro ratione actorum et statutorum in hujusmodi casu editorum et provisorum, tractetis, et ut pecunias pro eorum rata portione in schedula praedicta content. vobis ad usum nostrum persolvere coerceatis et urgeatis omnino; necnon pro defectu solutionum decimarum praedictarum sequestretis, et in manus seifiri faciatis omnia et singula redditus, reventiones, exitus, proficua, fructus, commoditates, decimas, glebas, oblationes, pensiones, portiones, et alia emolumenta, et proficua quaecunque ad separalia beneficia et promotiones spirituales in dicta schedula content. et eorum quodlibet spectant. et pertinent. in quorumcunque manibus, possessione, sive occupatione illa vel eorum aliqua modo existunt, aut in posterum existent, quousque debita in hujusmodi schedula content. persolvantur; intimentisque, publicetis, et declaretis hanc sequestrationem, nostra auctoritate factam, talibus temporibus, locis et hujusmodi personis, prout vobis maxime videbitur expedire. Nolumus autem quod templa obferetis, aut aliquam aedem sacram occludatis, schedulasve aut alia scripta postibus aut templorum valvis sigillo vestro auctentico muniat, aut aliter affigatis, quominus ministri divina celebrent, aut parochiani sacris celebrand. interfiant. Volumus autem, quod si qui

acquietantias aliquas praemonstraverint, quod illos idonea cautione, ut tempore infra script. baronum nostrorum ordini et judicio subdit. compareant curetis, ac insuper petatis, exigatis, levatis, colligatis, et in manus nostras recipiatis a quibuscunque aliis tenentibus, firmariis, et occupatoribus dictorum separalium, beneficiorum, et promotionum spiritualium et eorum cujuslibet, omnia redditus, reventiones, exitus, proficua, et alia quaecunque commodata, et emolumenta pro nobis, et ad usum et commoditates nostras; bona vero et catalla, si quae forte fuerint peritura, majori commodo nostro vendantur, caeteraque, quae de jure exigere poteritis, peragatis, quo separalium debit. in dicta schedula content. plenariam solutionem expeditius accelerare poteritis; huicque mandato nostro eousque instetis, donec et quousque tant. redditus, reventiones, et proficua separalium beneficiorum praedictorum, et eorum cujuslibet ad manus nostras pervenerint, quibus de praedictis separalibus debit. in dicta schedula content. pro cujusmodi rata portione nobis abunde satisfiet, celeriusque quo poteritis, post receptionem eorundem, ad recept. scaccarii nostri ad usum nostrum recept. inde denarios integre persolvatis: assignavimus enim et constituimus vos, aliosque discretos et boni nominis viros, qui nobis approbati et commodi videbuntur, collectores et receptores in praemissis. Certiores igitur reddatis barones nostros praedictos apud Westmonast. in quindena sancti Michaelis archangeli prox. futur. quid feceritis in praemissis, remittend. eisdem baronibus nostris, tunc et ibidem, praesens mandatum nostrum; vos enim in redditione computi vestri pro decimis ad festum natalis Domini ult. praeterit. cum summis in schedula praedicta ad usum nostrum minime solut. onerand. fore, nisi commodiori responso sub sigillo vestro auctentico in membrana redact. baronibus nostris praedictis persuaferitis, praemonemus per praesentes; damus autem tenore praesentium in mandato omnibus et singulis justitiariis, majoribus, vicecomitibus, ballivis, constabulariis, et aliis officialibus, et ministris nostris quibuscunque, tam infra libertates quam extra, quod vobis et vestris in hac parte deputat. circa executionem praesentis commissionis nostrae obediunt, auxiliantes sint, et intendentes, prout decet. In cujus rei testimonium has literas nostras fieri fecimus patentes, teste Willelmo Periam, milite, apud Westm. duo decimodie Februarii, anno regni nostri XLIII.

Joh. Tayler, deputat.
Edward. Stafford, milit.

Archiepisc. Cant.
JOH. WHITGIFT 18.

Anno Christi
1601.

Reg. Angliae
ELIZAB. 43.

The archbishop of Canterbury's letter touching the observance of the late constitutions.
Reg. III. Whitgift fol. 129. b.

"**S**ALUTEM in Christo." Notwithstanding the advised care taken in the last convocation, amongst the rest, of these two chapters following of the constitutions then made, and by hir most excellent majestie confirmed, "Ut beneficiati in suis beneficiis curatis hospitalitatem exerceant;" the other, "Ut decani et canonici in ecclesiis cathedralibus suis vicibus conciones habeant;" yet are there daily complaints made, that some beneficed men having prebends in cathedral churches, do take longer scope by colour thereof of absence from their cured benefices, then by the said constitutions is allotted them; and that some others, who would seem to live at their prebends, do neglect their duty both of preaching, and attendance on their other divine functions there. For preventing of these, and the like insinuations (whereof we may happely ere long hear more) I doe hearby pray and require your lordship, that you

will together with your dean advise upon every particular branche of each of the abovenamed chapters, and enform yourself, whether anie prebendarie of your church do breake anie parte of these two titles, whereunto he is either in respect of his cured benefice, or of his prebend tied; and so to reforme the offenders therein, with all convenient speede, as that I may, before the feast of All Saints next ensuing, receive under your lordships hand a true certificate, as well of any breach of the said constitutions, as of your lordships due reformation of it. Wherein nothing doubting of your lordships care, I bid you hartilie farewell. From my palace in Canterbury this sixth day of August M.DC.I.

Your lordship's loving brother,

JO. CANTUAR.

Archiepisc. Cant.
JOH. WHITGIFT 19.

Anno Christi
1601.

Reg. Angliae
ELIZAB. 44.

The archbishop of Canterbury's letter with articles touching the ecclesiastical courts.
Ibid. fol. 135. a.

"**S**ALUTEM in Christo." Your lordship hath by experience now found, how the not reforming of the inconveniences, crept into ecclesiastical inferior courtes, specified in my letters sent unto you in April last, hath bred that effect, which was then feared; even the multitudes of complaints made against them in this last parliament, which had they not been prevented with good circumspection, and hope promised of careful reformation hereafter of those abuses and grievances of the subjecte in the inferior courtes, there might perhaps have ensued the taking awaie of the whole, or most of those courtes, which caused me at our last assembly in convocation to admonish my brethren there present, and those deanes, archdeacons, and other clerks of the convocation, who then attended, to have a more careful and vigilant heede to the observing of the constitutions made in the former convocation, and confirmed by hir most excellent majesty; and more particularly to redresse these enormities following, so much complained of in the parliament house, as impugning our own late care in making the former constitutions, which had they ben well observed, these enormities had been all redressed.

I. The inconveniences which do arise by proceeding of ordinaries "ex officio mero" without either due presentment, or lawfull inquisition preceding.

II. The over frequent, and often keeping of courtes used by commissaries and officials, to the vexing of the subject, and especially church-

wardens with weekly attendance, causinge their leaving other businesse to attend some courte or other.

III. The common snatching by prevention, used betwixt commissaries and officials in matters of correction, whereby neither do the churchwardens know where to present, nor the subject is suffered quietlie to answer his offence in any one courte, he is so distracted by being cited to two or three courtes at once.

IV. The vexing and charging the country with quarter bills, an abuse but lately crept into those courtes, directly against law, and very burdensome to the subject.

V. The infinite multitudes of apparitors and pettie somners, hanging upon each courte, two or three of them at once, most commonly feasting upon the subject for every trifling offence, to make worke to their courtes.

VI. The admission of curates, hand over head, by officials and commissaries in the countrie, without the busshops knowledge of them, and without receiving due testimony of their conversation, as by the constitution is required in the ordering of ministers; as also the breach of that parte of the constitution "De beneficiorum pluralitate cohibenda," which requireth, that no curate shall serve under a double beneficed man, but such an one, as for his sufficiency to preach, and for the competency of his stipend, shall be approved by myself, or his busshop diocesan; the ordinary fees of admission of such curates being notwithstanding

ing reserved to those courtes, where they are granted.

VII. The scandal which groweth by commutation of penances, more rieff than before the late constitutions were made, without the bushops privity, warrant, or consent.

VIII. And lastly, The graunting licenses of marriages by archdeacons, and their officialls, and other exercising peculiar jurisdiction, who are no wayes by law to be saide "exercere episcopalem jurisdictionem de jure," neither was it anie waies intended at the making of these constitutions, and expresly by her majestie signified, that no bushops officer, other than his chancellor, shoulde grant anie license in any diocesse.

These being the grievances most noted, and both in parliament, and otherwise complained of, to be heavie for the subject to undergoe, and I did require at your lordships hands a reforma-

tion of them within your diocess at the end of the convocation; foe I doe hereby pray and require you, that you will set down such observations to your ecclesiastical officers, whereby all these abovenamed inconveniences may be avoyded, as the grievances springing of the undue observing of the former constitutions. And if any officer under you shall either impugne, or not truly performe the redressing of all these disorders, in manner as you shall prescribe them, he shall assuredlie know, that I had rather with severity reform him, than bear those ordinary complaints, which in the end may turne to the scandall of our jurisdiction ecclesiastical. And so not doubting, but that you will have due care of the premises, I commend your lordship to God. From Lambeth 7th of January, M.D.CI.

Your lordship's loving brother in Christ.

Archiepisc. Cant.
JOH. WHITGIFT 19.

Anno Christi
1601.

Reg. Angliae
ELIZAB. 44.

The archbishop of Canterbury's order to the bishop of London for thanksgiving for victory, etc. Reg. III. Whitgift fol. 138. a.

"**S**ALUTEM in Christo." Your lordship cannot be ignorant of the great and manifold blessing and benefits, which we have received from God, since it pleased him to advance hir majesty to this crown; first, by directing her royal heart to establish and maintain true religion amongst us; then, by defending hir sacred person against many and divers secrett plotts and cruell designments; thirdly by protecting this whole realm from intended invasions of the king of Spaine, to the great admiration almost of all the world; and at this tyme by frustrating this king of Spaine of his intended invasion and conquest of the kingdom of Ireland; that thereby he might make his entrance the more easy for the subduing of this realm. To which intent likewise he combined with the pope, and of late sent greate forces into that kingdom to the aid and assistance of the rebells there, which fortified themselves in three places besides Kynsale, with resolution never to have departed that kingdome, till they had subdued it to their maister the king of Spaine. Nevertheless, through God's great goodness and mercies, they are subdued, and forced to become intercessors that they might depart, and leave that enterprife, and have surrendered and yeilded up all the places, wherein

before they had fortified themselves. Moreover, the forces of both the traytors Tyrone, and Odonell are vanquished; Tyrone, into the north parte of Ireland, and Odonell, into Spain: for which great goodness of almighty God, in frustrating of these and divers other plots and enterprises against her majestie and hir kingdom, and specially against the true religion, which we professe, devised as well by the late king of Spaine, as by this his son that now reigneth, who hath vowed to follow his fathers steps; wherein we can never be sufficiently thankful. And theefore your lordship shall doe well, and it is hir majesties pleasure, to take order within your dioces, that the preachers, in their sermons shall notifie to their parishioners these admirable workes of God, and his exceeding great mercies multiplied upon us, and move them to render thanks unto God for the same, and to pray for the continuance thereof. And so with my heartie commendations I commit your lordship to the tuition of almighty God. From Lambeth the 25. of January, M.D.C.I.

Your lordship's loving brother in Christ,

JO. CANTUAR.

Archiepisc. Cant.
JOH. WHITGIFT 19.

Anno Christi
1602.

Reg. Angliae
ELIZAB. 44.

The archbishop of Canterbury's letter about decay'd churches and chancells. Ibid. fol. 140. b.

"**S**ALUTEM in Christo." Hir majestie being informed, that divers churches and chauncells within this realme are greatly decayed, and some of them either fallen down, or like to fall down, and likewise that many

other churches are very undecently kept within, to the disgrace of religion, and great offence to many wel disposed, and occasion to such as are enemies to our profession to think, that we are but prophanely minded, and without devotion; hath

hath commanded me to write to the archbishop of York, for his province, and to all the bishops within my province, in his name to charge them to have a special regard to the premises, and to take care that the same be reformed accordingly; which hereby I notify to your lordship, and require you in his majesties name to see the same duly performed and reformed, as you will answer to the contrary, and to certify me in convenient time the state of your

churches within your diocesses, and what you have done concerning the same. And so with my hartie commendations I commit your lordship to the tuition of almighty God. From Lambeth this one and twentieth of June, M.DC.II.

Your lordship's loving brother in Christ,

JO. CANTUAR.

Archiepisc. Cant.
JOH. WHITGIFT 19.

Anno Christi
1602.

Reg. Angliae
ELIZAB. 44.

A prayer for the queen's majestie. Reg. III. Whitgift fol. 148. b.

O MOST heavenlie father, and God of all mercie, we most humbly beseech thee to behold thy servaunt our queen, with the eyes of pity, and compassion; give unto her the comforts of thy Holie Spirit; worke in her a constant and livelie faith; graunt hir true repentance; and restore unto her (if it be thy will) hir former health and strength of bodie and soule. Let not the enemy, nor his wicked instruments

have any power over hir, to do her harme. O Lord punish hir not for our offences, neither punish us in hir. Deal not with us O Lord, as we have deserved, but for thy mercies sake, and for thy Christ his sake, forgive us all our finnes; and prolong hir daies, that we may still enjoy hir to the glory of thy holy name, and joy of all such as truelie fear thee, through Jesus Christ our Lord, Amen.

Archiepisc. Cant.
JOH. WHITGIFT 20.

Anno Christi
1603.

Reg. Angliae
JACOB. I. 1.

The archbishop of Canterbury's letter touching beneficed men and preachers.

Ibid. fol. 149. a.

"SALUTEM in Christo." These are to require your lordship for certeine causes me especially moving, that with all convenient speed, after the receipt hereof, you certify me, under your hand, the names and surnames of all the preachers within your diocess, what degree of schole they and every of them be of, by whom they are allowed preachers, and whether they be beneficed curates, or stipendary preachers, together with the parishes name

where they lyve and preache. And thus praying your lordship to be very carefull in the premises, I commit your lordship to the protection of almighty God. From Lambeth this 12th daye of Maye, M.DC.III.

Your loving brother in Christ,

JO. CANTUAR.

Letter from the same touching communicants and noncommunicants.

Ibid. fol. 150. b.

AFTER my hartie commendations to your lordship. I have thought good upon some special occasions me thereto moving, to pray and require your lordship, that presently after receipt hereof, you do send letters, aswell to all your archdeacons, as to all severall commissaries within your diocesse, willing and requiring them, in my name to send for every parson, vicar, or curate within their severall jurisdictions, and as secretly and particularly, as they can, to receive of them in writing their severall answers to every one of these points following; and that the said archdeacons and commissaries, so soone as they shall have received the said answers in writing from the severall ministers, do presently transmit them in autentique forme unto you, to be presentlie sente from your lordship to me: wherein I must put your lordship in remembrance, that you had need to give some touch unto your archdea-

cons and other commissaries, that if they thought of it, how much these things, which I desire to be informed in, may concern their severall jurisdictions, they would have more care particularly to inform themselves, by all meanes, of every such matter required of them; and speedily return certificate of them. The matters I now desire to be advertised of, with all convenient speed, are these:

I. The certein number of those that do receive the communion in everie severall parish.

II. The certein number of every man recusant inhabiting in every severall parish within their severall jurisdictions, without specifying their particular names; and likewise the certein number of every woman recusant, distincte from the man, in manner as afore.

III. The like inquirie to be observed also, aswell what the certein number is of every man as afore, who doth not receive the communion,

on, as also the certain number of every woman in each severall parish, who doth not receive the communion, without specifying their names.

IV. The particular name of every double beneficed man in your diocese, who holdeth two benefices with cure, his degree of schole, and qualification, the names of the severall benefices with cure, which he so holdeth, how many miles distant each of the benefices, which he holdeth, is from the other, and as neer as you can; the valuation of them in the kinges bookes.

V. How many severall impropriations there be within your diocese, whether they be endued with vicaridges, or served by curates; if with vicaridges, what everie of those severall vicaridges is valued at, so neere as you can inform yourself, in the kinges bookes; yf by curates,

what the ordinarie stipend is that the proprietarie payeth for the maintenance of the curate.

VI. The names of every personage within your diocese, which is endued with a vicaridge; what the said personage is valued in the kinges bookes, and what the vicaridge is valued in the kinges bookes, and what the vicaridge is valued at.

VII. Who is patrone to everie severall benefice within your diocese, so neere as your records of institution can give direction. And thus praying your lordship to be verie carefull in the premises, I committe you to the protection of almightie God. From Lambhith this last of June, M.DC.III.

Your lordship's loving brother in Christ,

JO. CANTUAR.

Archiepisc. Cant.
JOH. WHITGIFT 20.

Anno Christi
1603.

Reg. Angliae
JACOB. I. I.

K. James the first his letter to the university of Oxon touching glebe tithes in parsonages impropriated to be reduced to the sufficient and incumbent minister. Spelman's hist. and fate of sacrilege p. 240. seqq.

JAMES, Rex.

RIGHT trusty and well beloved, we greet you well. The zeal, that religion might be well planted in this realm, and all other our dominions, hath caused us to enter into consideration of all means, that might best serve to the furtherance hereof. Wherein finding that no one thing is a greater impediment, than want of competent living to maintain learned men in such places of our kingdom, where the ordinary benefit of the vicarages doth not suffice, and the parsonages are impropriate, and in laymens hands, we have found, that there could not be a readier way to supply that defect, than if those impropriations of tithes might be converted again to the right use, for which they were at present instituted; wherein by God's grace we have a purpose to do in such of them as now are, or shall be in our hands, whatsoever our state may well bear. By which example of ours we presume to induce all others, possessed of the like, to imitate us, as far as with their ability they may. In the mean time we have considered, that to give beginning to so good a work, none were more fit, than the colleges in the universities, who being so eminent members of our state, and having divers of them many such impropriations, and some of them also a desire, as we are informed, to provide for such persons out of such livings, as shall fall within their powers to dispose, their example should have great efficacy into all good men in this sort to advance the glory of Christ's

gospel. And because there may occur in the performance hereof some such particular difficulties, as are unknown to us, we have thought good, before we entred further into it, to recommend this matter to your consideration, requiring you, our chancellor, and in your absence the vicechancellor, and heads of houses to assemble yourselves, and such discreet men of all the colleges, as you shall think meet for such a consultation, and to propose that matter amongst you, and to consider and set down some speedy course, how upon the expiration of the years in being of any lease of tithes or glebe impropriate, the same may afterwards be so devised, as ecclesiastical persons bred in the houses, to whom the same do belong respectively, may be maintained, and enabled to execute their functions, and yet the college provided of such things as are necessary for maintaining the same: whereof we have no intention to wish any prejudice, knowing well how fit it is, that they be supported by all good means whatsoever. Of which your deliberation and resolution we do require you to advertise us with as convenient speed as you may, both by writing under your hands, and by some discreet persons to be sent to us, or our council, to make report of your doings therein. Given under our sign at our castle of Windsor the 10th of July, M.DC.III. in the first year of the reign of England, France, and Ireland, and of Scotland the seven and thirtieth.

370 *The archbishop's letter for keeping the 5th of AUGUST.*

Archiepisc. Cant.
JOH. WHITGIFT 20.

Anno Christi
1603.

Reg. Angliae
JACOB. I. I.

The archbishop of Canterbury's letter for the keeping of the 5th of August holy.
Reg. III. Whitgift fol. 195. b.

"**S**ALUTEM in Christo." Yesterday night I received letters from the lords of his majesty's privy council, the copy whereof I send inclosed to your lordship, praying and requiring you, according to the accustomed manner in such cases, to cause the contents thereof to be made known to the rest of the bishops within this province; whereof divers are now remaining in and about London. Touching the manner of celebrating that day, I would be glad to have conference with your lordship, and some others of the bishops now present; but in the mean time, and for the speedier dispatch of your letters, I think it fit the same order be observed in this action, as was used upon the 17th of November, in our late sove-

reign's time; with especial charge, that in every particular church there be a sermon and service, with a declaration of the great blessing of God for his majesty's deliverance from that danger, with hearty prayers to God for the continuance of his goodness towards him and us, and to the like effect. And so not doubting, but that you will perform this duty with all convenient speed, I commit you to the tuition of almighty God. From Croydon "decimo quarto Julii," M.DC.III.

Your lordship's loving friend and brother,

JO. CANTUAR.

The council's letter to the archbishop of Canterbury about celebrating the 5th of August yearly. Ibid. fol. 151. a.

AFTER our very hearty commendations to your lordship. As it pleased God many ways to bless our sovereign lord the king, before his coming to this kingdom, and when he was possessed only of the realm of Scotland (whereby it appeareth that the divine providence reserved him for the happy government of this state, and (as it is not to be doubted) for the perpetual establishment of peace and tranquillity amongst us) so, forasmuch as by his succession to this crown we are now made partakers of the same blessings, and of the benefit thereof proceeding equally with his subjects of the Scottish nation, it is very meet, that in equal degree and measure with them, we should in all respects shew our gladness, and thankful acknowledgement of God's goodness, and our love to his majesty: among which said blessings there could not be any of greater note, or of more happiness unto us, than the preservation and delivery of his majesty from the traitorous and detestable attempt of the earle Gowrie, his brother, and other complices against his majesty's life and person. For which inestimable benefits, forasmuch as his majesty's said subjects of Scotland have declared, and do still continue their joy and thankfulness, by solemnizing and celebrating the day of his majesty's said delivery, and for that cause, by a special act and perpetual statute made by the three estates of that kingdom (in a parliament holden at Edinburgh in the month of November, M.DC.) have ordained, that the memory of the said day (being the 5th day of August) the year aforesaid, should be yearly solemnized by public assembly, prayer, and thanksgiving to God in all parish churches throughout that realm, by cessation from work

and labour, and by all good and lawfull means and signs of gladness, whereby God might be glorified, and the joy for so happy a delivery continued in the memory of all posterity; and sithence this especial cause of joy is now become common to all the subjects of this realm, and of the rest of his majesty's dominions, who had been deprived of the present comfort, and of all future happiness, conceived and hoped for, by the establishment of his majesty's sacred person in the right of this kingdom, if God in his mercy had not prevented that most wicked and horrible mischief; we therefore, unto whom as the said cause of joy and gladness jointly with the rest of his majesty's subjects, so the direction for any certain rule and order therein to be observed, doth more properly appertain, not doubting but you, and all other his loving subjects, will readily apprehend this occasion to acknowledge their own happiness, do pray and require your lordship to cause to be published, and made known in the parish churches throughout all the dioceses in your province, the said occasion of joy and thankfulness for his majesty's delivery, the order and course that was taken heretofore, and is continued by his subjects of the Scottish nation, as is afore mentioned; and in like sort to prescribe the same rule and order of solemnizing and celebrating yearly the day aforesaid, of God's mercy and our happiness in the preservation of his majesty, by public assembly, thanksgiving, and prayer in the parish churches, and in special commemoration of his majesty's said delivery, by cessation from work and labour for that day, and by such other lawful signs and demonstrations of joy and gladness for the same, as may declare our thankfulness

thankfulness to God, and dutiful love to his majesty. The form and manner of which thanksgiving, how it may be best conceived, and delivered publickly in the churches, we refer to your lordship's judgment and wisdom. And so we bid your lordship right heartily well to fare. From the court at Windsor the 12th of July, M.DC.III.

Archiepisc. Cant.
JOH. WHITGIFT 21.

Anno Christi
1603.

Reg. Angliae
JACOB. I. 1.

Your lordship's very loving friends,

Tho. Egerton. Lennox. Nottingham.
Northumberland. Gilb. Shrewsbury.
E. Worcester. Marre. T. Howarde.
Rob. Cecyll. Montjoye. Will. Knowles.
E. Wotton. J. Stanhope. Elphinstowne.

A proclamation concerning such as seditiously seek reformation in church matters.

As we have ever from our infancy had manifold proofs of God's great goodness towards us in his protecting of us from many dangers of our person, very nearly threatening us, and none more notorious than his happy conducting us in the late case of our succession to this crown, which contrary to most mens expectation we have received with more quiet and concurrency of good will of our people (otherwise perhaps of different dispositions) than ever in like accident hath been seen; so do we think, that the memory of his benefits ought to be a continual sollicitation to us to shew ourselves thankful to his divine majesty whereinssoever opportunity shall be offered us to do him service, but especially in things concerning his honour and service, and the furtherance of the gospel, which is the duty most befitting royal authority. Wherefore after our entry into this kingdom, when we had received information of the state thereof at the decease of the queen our sister of famous memory, although we found the whole body thereof in general by the wisdom of herself, and care of those, who had the administration thereof under her, in such good state of health, as did greatly commend their wisdoms, as well in the politic part of it, as also in the ecclesiastical, whereof since we have understood the form and frame, we are persuaded that both the constitution and doctrine thereof is agreeable to God's word, and near to the condition of the primitive church; yet forasmuch as experience doth shew daily, that the church militant is never so well constituted in any form of policy, but that the imperfections of men, who have the exercise thereof, do with time though insensibly, bring in some corruptions; as also for that informations were daily brought unto us by divers, that some things used in this church were both scandalous to many seeming zealous, and gave advantage to the adversaries; we conceived that no subject could be so fit for us to shew our thankfulness to God, as upon serious examination of the state of this church, to redeem it from such scandals, as both by the one side and the other were laid upon it. For our instruction wherein, we appointed a meeting to be had before ourself and our council, of divers of the bishops and other learned men, the first day of the next month, by whose information and

advice we might govern our proceeding therein, if we found cause of amendment. But by reason of the sickness reigning in many places of our kingdom, the unreasonable time of the year for travel, and the incommodity of the place of our abode for such an assembly, we were constrained to defer it till after Christmas. At which consultation we shall both more particularly understand the state of the church, and receive thereby light to judge, whether there be indeed any such enormities, as are pretended, and know how to proceed to the redress. But this our godly purpose we find hath been misconstrued by some mens spirits, whose heat tendeth rather to combustion than reformation, as appeareth by the courses they have taken; some using public invectives against the state ecclesiastical here established, some contemning their authority and the processes of their courts, some gathering subscriptions of multitudes of vulgar persons to supplications to be exhibited to us, to crave that reformation, which if there be cause to make, is more in our heart than in theirs. All which courses, it is apparent to all men, are unlawful, and do favour of tumult, sedition, and violence, and not of such a christian modesty, as becometh those, who for piety's sake only desire redress of things they think to be amiss, and cannot but be the occasions of dissentious partialities, and perhaps of greater inconveniences among our people.

For preventing whereof, we have thought it necessary to make public declaration to all our subjects, that as we have reason to think the estate of the church here established, and the degrees and orders of ministers governing the same, to be agreeable to the word of God and the form of the primitive church, having found the same blessed in the reign of the late queen with great increase of the gospel, and with a most happy and long peace in the politic state, which two things, the true service of God, and happiness of the state, do commonly concur together; so are we not ignorant, that time may have brought in some corruptions, which may deserve a review and amendment, which if by the assembly intended by us we shall find to be so in deed, we will therein proceed according to the laws and customs of this realm by advice of our council, or in our high court of parliament, or by convocation of our clergy, as we shall find reason to lead us; not

not doubting, but that in such an orderly proceeding we shall have the prelates and others of our clergy no less willing, and far more able to afford us their duty and service, than any other, whose zeal goeth so fast before their discretion. Upon which our princely care, our pleasure is, that all our subjects do repose themselves, and leave to our conscience, that which to us only appertaineth, avoiding all unlawful and factious manner of proceeding; for that hereafter if any shall either by gathering the subscriptions of multitudes to supplications, by contemptuous behaviour of any authority by the laws resting in ecclesiastical persons, by open invectives and indecent speeches either in the pulpit or otherwise, or by disobedience to the processes proceeding from their jurisdiction, give us cause to think, that he hath a more unquiet spirit, than becometh any private per-

son to have toward public authority, we will make it appear by their chastisement, how far such a manner of proceeding is displeasing to us, and that we find that these reformers under pretended zeal affect novelty, and so confusion in all estates, whereas our purpose and resolution ever was, and now is to preserve the estate as well ecclesiastical as politic in such form, as we have found it established by the laws here, reforming only the abuses, which we shall apparently find proved, and that also to do by such mature advice and deliberation, as we have above mentioned. Wherefore we admonish all men hereby to take warning, as they will answer the contrary at their peril. Given under our hand at Wilton the 24th day of October, of our reign of England, France, and Ireland the first, and of Scotland the thirtieth and seventh year, anno Domini M.DC.III.

Archiepisc Cant.
JOH. WHITGIFT 21.

Anno Christi
1603.

Reg. Angliae
JACOB. I. 1.

The archbishop of Canterbury's letter for contribution to be made for the city of Geneva. Reg. III. Whitgift fol. 152. a.

"**S**ALUTEM in Christo." I have received letters from his most excellent majesty, the tenor whereof followeth: Most reverend father in God, and right trusty and right well beloved counsellor, we greet you well. The city of Geneva of famous memory, for the zeal the inhabitants have ever had to religion, and for harbouring of many persecuted for the same, as well of other nations, as of this of England in time past, hath of late been put to great charges, by extraordinary occasions happened to them more than they are able to defray, and cannot preserve themselves from some imminent danger, except they be relieved by those their friends, who for community of religion ought to hold the dangers threatening of people so well affected to be their own cause; of which sort hoping that there be in this our realm a great number, who being informed of their cause, and of our good will, that they should be relieved, will readily contribute towards the same such benevolence, as God shall put in their hearts to do; we have thought good to signify unto you, that we understand by their agent sent unto us, of their extremity, and how willing we are by way of benevolence they may be relieved; and to require you to direct your letters, in our name, to the several bishops of your province, signifying the same to them; and that our pleasure is, they shall give order to the parsons, vicars, curates, and other incumbents of the several parishes in their dioceses, to make known so much to their parishioners at their assemblies on Sundays and holidays, and how much it shall be to the commendation of their zeal and our good liking, that in this case they shew themselves liberal and forward, and to accompany the same with such good exhortations, as they shall think meet to excite the peoples de-

votion, to extend itself toward a city deserving so well of the common cause of religion. And for the receipt of such monies, as shall be contributed, the said bishop shall appoint the churchwardens and sidemen of each parish, with the privity of the incumbents, to take care thereof, and at every months end to deliver the same to the archdeacon, or some other person of note or trust, by the diocesan to be appointed, who shall see the same safely conveyed unto him, and from the said diocesan, the same to be conveyed unto your grace, within some reasonable time, to be by you appointed, after he shall have received it. And when the mony, or any part thereof shall be sent to your hands, you shall acquaint us or our council with it, and by their advice deliver it to the agent of Geneva, or such other, as they shall appoint to receive it here, and make it over to them. The said collection we think meet to begin within one month after the date of these our letters, and to continue for the space of one year. Given under our signet at our city of Winchester the eighth day of October, in the first year of our reign of England, France, and Ireland, and of Scotland the seven and thirtieth. The contents of which his majesty's said letters I doubt not but that you will perform accordingly; the intent and purpose being so charitable and christian, and for relief of a city which maintains the gospel, and for professing thereof endureth these troubles. This collection your lordship must give order to your archdeacons and other your officers, who are by his majesty's letters to receive the same monthly of the churchwardens, that they do send it unto you within such convenient time, as that I may receive it at your lordship's hands at the end of every third month from the date hereof: provided always, that there be no deduction of charges made by

by any of your officers or apparitors, out of any of these collections. And so with my very hearty commendations I commit you to the protection of the Almighty. From Croydon

his 26th of October, M.DC.III.

Your lordship's loving brother in Christ,

JO. CANTUAR.

Archiepisc. Cant.
JOH. WHITGIFT 21.

Anno Christi
1603.

Reg. Angliae
JACOB. I. I.

Concilium Hamtoniense. Extract. ex Will. Barlow conference of Hampton court.

REX Jacobus ad summum in Anglia imperium evectus, ut ecclesiae Scoticae doctrinam et disciplinam Anglicanae conformem redderet, ad aulam suam Hamtoniensem accersivit Johannem Whitgift, archiepiscopum Cantuariensem, Richardum Bancroft, Londinensem, Tobiam Matthews, Dunelmensem, Thomam Bilson, Wintonensem, Gervasium Babington, Wigornensem, Antonium Rudd, Menevensem, Antonium Watson, Cicestrensem, Henricum Robinson, Carliolensem, et Thomam Dove, Petriburgensem episcopos; item decanum sacelli regii, Thomam Ravis, decanum aedis Christi Oxon. Richardum Eedes, Wigornensem, Lancelot Andrews, Westmonasteriensem, Johannem Overall, Paulinum, Wilhelmum Barlow, Cestrensem, Aegidium Thompson, Windsoresensem, et Johannem Gourden, Salisburiensem decanos; necnon doctorem Field, et doctorem King, archidiaconum Nottinghamensem. Quibus se adjunxerunt quatuor ab ecclesia Scotica legati, doctor Reynoldes, doctor Sparkes, magister Knewstubs, et mag. Chaderton; ut argumentis in utramque partem coram prolatis quid de iis statuendum esset, rex cognosceret, ac discrimen fidei sive religionis eorum sua auctoritate dirimeret. Convenerunt ergo die 14. mensis Januarii, ubi rex episcopis et nonnullis decanis seorsim ad se vocatis causam conventus enarrabat: "Beginning with a most grave and princely declaration of his general drift in calling this assembly no novel device, but according to the example of all christian princes, who in the commencement of their reign, usually take the first course for the establishing of the church, both for doctrine and policy, to which the very heathens themselves had relation in their proverb, "a Jove principium:" and particularly in this land king Henry the eighth, toward the end of his reign; after him king Edward the sixth, who altered more, after him queen Mary, who reversed all; and the last queen of famous memory, who settled it as now it standeth: wherein, he said, that he was happier than they, in this, because they were fain to alter all things they found established, but he saw yet, no cause so much to alter and change any thing, as to confirm that, which he found well settled already, which state, as it seemed, so affected his royal heart, that it pleased him both to enter into a gratulation to almighty God, for bringing him into the promised land, where religion was purely professed, where he sat among grave, learned, and reverend men; not as before elsewhere, a king without state, without honour, without order; where beardless boys would brave him to his face: and to

assure us, that he called not this assembly for any innovation, acknowledging the government ecclesiastical, as now it is, to have been approved by manifold blessings from God himself, both for the increase of the gospel, and with a most happy and glorious peace. Yet because nothing could be so absolutely ordered, but something might be added afterward thereunto, and in any state, as in the body of man, corruptions might insensibly grow, either through time or persons; and in that he had received many complaints since his first entrance into the kingdom, especially through the dissensions in the church, of many disorders, as he heard, and much disobedience to the laws, with a great falling away to popery: his purpose therefore was, like a good physician, to examine and try the complaints, and fully to remove the occasions thereof, if they prove scandalous, or to cure them, if they were dangerous, or, if but frivolous, yet to take knowledge of them, thereby to cast a sop into Cerberus his mouth, that he may never bark again; his meaning being, as he pleased to profess, to give factious spirits no occasion hereby of boasting or glory: for which cause he had called the bishops in, severally by themselves, not to be confronted by the contrary opponents, that if any thing should be found meet to be redressed, it might be done without any visible alteration."

Finita hac oratione rex episcopos, et decanos ab aliis hujus concilii membris segregatos, interrogabat de confirmationis nomine et usu; de absolutionis forma; de baptismo privatim conferendo; de excommunicationis modo et objectis; ac de mittendis idoneis et eruditis ecclesiae ministris in Hiberniam. Haec omnia postquam archiepiscopus Cantuar. et episcopi solidis eruditisque argumentis explicassent, rex 16. Januarii diem assignabat exhibitioni responsionum ad quaestiones supradictas in scriptis, et ad audiendum opponentium querelas.

Die illo adveniente, omnes supranominati episcopi, decani, et alii cum quinque (mag. Patricius Galloway, Perthanae ecclesiae in Scotia minister, prioribus quatuor sese associaverat) opponentibus in praesentiam regis admittebantur. Rex concilii occasionem et necessitatem iis exponebat, dicens: "That a conference was meet to be had by every king, at his first entrance to the crown, not to innovate the government presently established, which by long experience he had found accompanied with so singular blessings of God forty five years, as that no church upon the face of the earth more flourished than this of England; but first to settle an uniform

order through the whole church. Secondly, to plant unity for the suppression of papists, and enemies to religion. Thirdly, to amend abuses, as natural to bodies politic and to corrupt man, as the shadow to the body; which once being entered, hold on as a wheel his motion once set going. And because many grievous complaints had been made to him, since his first entrance into the land, he thought it best to send for some, whom his majesty understood to be the most grave, learned, and modest of the aggrieved sort, whom being there present, he was now ready to hear at large, what they could object or say; and so willed them to begin.

Tunc praemissa gratulatione, doctor Reynoldes cuncta, quae ipsis in ecclesia Anglicana displicebant, quorumque reformationem petebant, sub quatuor capitibus comprehendebat: I. "That the doctrine of the church might be preserved in purity, according to God's word. II. That good pastors might be planted in all churches to preach the same. III. That the church government might be sincerely administered according to God's word. IV. That the book of common prayer might be fitted to more increase of piety." Inter alia articulum ecclesiae Anglicanae xvi, xxiii, xxv, et xxxvii, enucleatius explicari desiderabat; id quod episcopus Londinensis et decanus Paulinus omnium cum applausu egregie praestiterunt. Postea idem Reynoldes triginta novem articulis fidei, hanc propositionem adjungi optabat "intentionem ministri non esse de essentia sacramenti." Cui rex quamoptime respondit. Conquereretur porro de brevitate catechismi in libris precum communium, de prophanatione Sabbati, de versione biblicorum in lingua vernacula, notando nonnulla loca male versa, ac de libris seditione repletis publice apparentibus. Proponebat et alia de praeficiendis ministris idoneis ac eruditis cuilibet parochiae: ad quae rex respondit: "That he had consulted with his bishops about that, whom he found willing and ready to second him in it; inveighing herein against the negligence and carelessness, which he heard of many in this land; but as "subita evacuatio" was "periculosa," so "subita mutatio." Therefore this matter was not for a present resolution, because to appoint to every parish a sufficient minister were impossible, the universities would not afford them. Again he had found already that he had more learned men in this realm, than he had sufficient maintenance for; so that maintenance must first be provided, and then the other to be required. In the mean time ignorant ministers, if young, to be removed, if there were no hope of their amendment; if old, their death must be expected, that the next course may be better supplied. And so concluded this point with a most religious and zealous protestation of doing something daily in this case, because Jerusalem could not be built up in a day." Hac occasione episcopus Londinensis regem supplex rogabat, ut de precibus, et de hominibus a ministris ecclesiae populo praelegendis,

ac de evitandis rixis et seditione in sermonibus ad populum e cathedra ecclesiastica habendis, regia sua auctoritate decerneret. Pergebant posthac Reynoldes et Knewstubs ad examen libri precum communium, cui multis de causis subscribere recusabant. I. Quia nonnulla loca in libris apocryphis S. Scripturae, quorum lectio in hoc libro iungitur, erroribus scatent. II. Quia aliquae phrasae hic occurrentes non exprimunt sensum primaevis textus Novi Testamenti. III. Quia officium baptismi interrogatoriis abundat. Ut auctoritatem libri communium precum ulterius infringere, multa contra signum crucis in baptismo objiciebantur, quae tamen rex ipse, episcopus Wintonensis, et decanus sacelli regii quam doctissime diluebant. Adferebant praeterea aliqua de abolendis superpelliceis, quorum usus in lectione precum et officiorum ecclesiae praescribatur. Disputatum fuit quoque de verbis in officio matrimonii, "with my body I thee worship;" quibus addebantur nonnulla de annulo matrimoniali; et de gratiarum actionibus precibus mulierum post puerperium. Tandem contra auctoritatem laicorum cancellariorum in ecclesiasticis censuris infligendis quaedam allegabantur; ad quae rex: "That he had already conferred with his bishops about that point, and that such order should be taken therein, as was convenient, willing him in the mean time to go to some other matter, if he had any." Ultimo summis votis expetebant, ut clerus juxta constitutiones provinciales qualibet tertia hebdomade in decanatibus ruralibus conveniret, eoque tempore prophetias exerceret, prouti ab archiepiscopo Cantuar. Grindall, et aliis episcopis cum consensu reginae Elizabethae praescriptum erat; et ut ea, quae ibidem deciderent haud poterant, referrentur ad visitationes archidiaconales, et abhinc ad synodum episcopalem, in qua episcopus cum presbyteris suis omnes controversias dirimeret.

Quia autem Reynoldes, in disputationibus suis mentionem injecerat suprematus regii, antequam rex finem imponeret secundae concilii diei, his verbis eum alloquebatur: "I shall speak of one matter more, yet somewhat out of order, but it skilleth not. Doctor Reynoldes, quoth the king, you have often spoken for my supremacy, and it is well; but know you any here or any elsewhere, who like of the present government ecclesiastical, that find fault or dislike my supremacy? D. Reynoldes, said, No: why then, said his majesty, I will tell you a tale. After that the religion restored by king Edward the VI. was soon overthrown by the succession of queen Mary here in England, we in Scotland felt the effect of it. Whereupon Mr. Knox, writes to the queen regent (of whom without flattery I may say, that she was a virtuous and moderate lady) telling her that she was "supreme head" of the church, and charged her, as she would answer it before God's tribunal, to take care of "Christ his Evangelil," and of suppressing the popish prelates, who withstood the same. But how long trow ye, did this continue? even so long 'till

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by her authority, the popish bishops were repressed; he himself and his adherents were brought in and well settled, and by these means made strong enough to undertake the matters of reformation themselves. Then lo they began to make small account of her supremacy, nor would longer rest upon her authority, but took the cause into their own hand, and according to that more light, wherewith they were illuminated, made a further reformation of religion. How they used that poor lady my mother is not unknown, and with grief I may remember it: who, because she had not been otherwise instructed, did desire only a private chapel, wherein to serve God, after her manner, with some few selected persons; but her supremacy was not sufficient to obtain it at their hands. And how they dealt with me in my minority, you all know; it was not done secretly, and though I would, I cannot conceal it. I will apply it thus." And then putting his hand to his hat his majesty said. "My lords the bishops, I may thank you, that these men do thus plead for my supremacy. They think they cannot make their party good against you, but by appealing unto it, as if you, or some that adhere unto you, were not well affected towards it. But if once ye were out, and they in place, I know what would become of my supremacy. No bishop, no king; as before I said. Neither do I thus speak at random, without ground, for I have observed since my coming into England, that some preachers before me can be content to pray for James, king of England, Scotland, France, and Ireland, defender of the faith; but as for supreme governor in all causes, and over all persons as well ecclesiastical as civil, they pass that over with silence, and what cut they have been of, I after learned." Cumque nihil amplius, quod objicerent, haberent ecclesiae Scoticae legati, rex concilium ad diem Mercurii proximum, 18. sc. mensis Januarii, differebat, surgensque de solio aiebat: "If this be all, that they have to say, I shall make them conform themselves, or I will harry them out of the land, or else do worse."

Illo die amotis jussu regio ad tempus ecclesiae Scoticae membris, comparebant coram rege episcopi, decani et alii supranominati, quibus aggregabantur equites et doctores curiae de arcubus, Daniel Dunne, Thomas Crompton, Richardus Swale, Johannes Bennet, equites, et doctor Drury, ubi quid duobus praecedentibus diebus inter regem et episcopos tractatum fuit, sc. de explicatione verborum quorundam in liturgia Anglicana, de suprema commissione (high commission) ad inquirendum res ad ecclesiam spectantes, de subscriptione, de juramento ex officio, de excommunicatione, et de ordinatione ac sustentatione ministrorum in qualibet parochia a summo Angliae cancellario et thesaurario confirmabatur, et intromissis Scotiae legatis observandum tradebatur. Pauca

ad ea regerebantur a Reynoldes de expressione verborum in forma matrimonii "with my body I thee worship;" quibus postquam satis aptum datum fuisset responsum, rex "shut up all with a most pithy exhortation to both sides for unity, persuading diligence in each man's place, without violence on the one party or disobedience on the other, and willed them to deal with their freinds abroad to that purpose; for his majesty feared and had some experience, that many of them were ticklish and humorous, nor that only, but labourers to pervert others to their fancies; he now saw that the exceptions against the communion book were matters of weakness; therefore if the persons reluctant be discreet, they will be won betimes, and by good persuasions; if undiscree, better they were removed: for many by their factious behaviour, were driven to be papists. Now then of their fruits he shall judge them, obedience and humility being marks of honest and good men. Those he expected of them, and by their example and persuasion of all their sort abroad; for if hereafter things being thus well ordered, they should be unquiet, neither his majesty nor the state had any cause to think well of them." His exhortationibus omnes debitam pollicebantur obedientiam. Duo tamen ex ecclesiae Scoticae legatis, unus mag. Chatterton, alter mag. Knewstubs, de superpelliceo et de forma crucis in baptismo objiciebant, ut eae ceremoniae non adeo impraesentiarum urgerentur in comitatibus Lancastriae et Suffolciae. Quorum primo rex respondebat: "That it was not his purpose, and he durst answer for the bishops, that it was not their intent presently and out of hand to enforce those things, without fatherly admonitions, conferences, and persuasions premised; but wished that it should be examined, if these men by their pains and preaching had converted any from popery, and were withal men quiet of disposition, honest of life, and diligent in their calling; if so, letters should be written to the bishop of Chester to that purpose; if not, but that they were of a turbulent and opposite spirit, both they and others of that unquiet humour should presently be enforced to a conformity." Alteri rex talia regerebat: "Sir, you shew yourself an uncharitable man. We have here taken pains, and in the end have concluded of an unity and uniformity, and you forsooth, must prefer the credits of a few private men before the general peace of the church. This is just the Scottish argument; for when any thing was there concluded, which disliked some humours, the only reason, why they would not obey, was, it stood not with their credits to yield, having so long been of the contrary opinion. I will none of that, and therefore either let them conform themselves, and that shortly, or they shall hear of it." Et hoc modo concilio huic Hamtoniensi finis imponebatur.

Archiepisc. Cant.
JOH. WHITGIFT 12.

Anno Christi
1603.

Reg. Angliae
JACOB. I. 1.

A proclamation commanding all Jesuits, seminaries, and other priests to depart the realm by a day appointed.

HAVING after some time spent in settling the politic affairs of this realm, of late bestowed no small labour in composing certain differences we found among our clergy about rites and ceremonies heretofore established in this church of England, and reduced the same to such an order and form, as we doubt not but every spirit, that is led only with piety and not with humour, shall be therein satisfied; it appeared unto us in the debating of those matters, that a greater contagion to our religion, than could proceed from those light differences, was imminent by persons common enemies to them both, namely the great number of priests, both seminaries and Jesuits abounding in this realm, as well of such as were here before our coming to this crown, as of such as have resorted hither since, using their functions and professions with greater liberty, than heretofore they durst have done, partly upon a vain confidence of some innovation in matters of religion to be done by us, which we never intended, nor gave any man cause to expect, and partly upon the assurance of our general pardon, granted according to the custom of our progenitors at our coronation, for offences past in the days of the late queen, which pardon many of the said priests have procured under our great seal; and holding themselves thereby free from the danger of the laws, do with great audacity exercise all offices of their profession, both saying masses, persuading our subjects from the religion established, and reconciling them to the church of Rome, and by consequence seducing them from the true persuasion, which all subjects ought to have of their duty and obedience to us. Wherefore forasmuch as by way of providence to preserve their people from being corrupted in religion, piety, and obedience, is not the least part of royal duty, we hold ourself obliged both in conscience and in wisdom, to use all good means to keep our subjects from being infected with superstitious opinions in matter of religion, which are not only pernicious to their own souls, but the ready way and means to corrupt their duty and allegiance, which cannot be any way so surely performed, as by keeping from them the ministers and instruments of that infection, which are the priests of all sorts ordained in foreign parts, by authority prohibited by the laws of this land, concerning whom therefore we have thought it fit to publish to all our subjects this open declaration of our pleasure. That where there be of priests at this present within our kingdom, be they regular, or without rule, divers sorts, some in prison, some at liberty, and of both some having obtained our pardon under our great seal, and some having no such pardon. And again some

that were here before our coming into this realm, and some come hither since: for all such as are in prison we have taken order that they shall be shipped at some convenient port, and sent out of our realm as soon as possible may be, with commandment not to return again into any part of our dominions, without our licence obtained upon pain and peril of the laws being here in force against them; and for all others, who are at liberty, whether having sued out our pardon or not, which we do advertise them and all our subjects, that extending only to matters done before the death of the late queen, doth not exempt any priest from the danger of the law for his abode here since our succession to the crown above the time by the statute limited.

We do hereby will and command all manner of Jesuits, seminaries, or other priests whatsoever, having ordination from any authority by the laws of this realm prohibited, to take notice, that our pleasure is, that they do before the nineteenth day of March next ensuing the date hereof, depart forth of our realm and dominions, and that for that purpose it shall be lawful to all officers of our ports, to suffer the said priests to depart from thence into any foreign parts, between this and the said nineteenth day of March; admonishing and assuring all such Jesuites, seminaries, and priests of what sort soever, that if any of them shall be after the said nineteenth day taken within this realm or any our dominions, or departing now upon this our pleasure signified, shall hereafter return into this realm or any our dominions again, that they shall be left to the penalty of the laws, here being in force concerning them, without hope of any favour or remission from us.

Wherefore we will and command all archbishops, bishops, lieutenants, justices of peace, and all other our officers and ministers whatsoever, to be vigilant and careful after the said nineteenth day of March next, to do their duties and diligence in discovering and apprehending of all priests that shall remain here contrary to this our declaration. Which though perhaps it may seem to some to presage a greater severity towards that sort of our subjects, who differing in their profession from the religion by law established, call themselves "Catholics," than by our proceedings with them hitherto we have given cause to expect; Yet doubt we not, but that when it shall be considered with indifferent judgment, what causes have moved us to use this providence against the said Jesuits, seminaries, and priests, all men will justify us therein. For to whom is it unknown, into what peril our person was like to be drawn, and our realm unto confusion not many months since, by a conspiracy first conceived by persons of that sort,

fort, who having prevailed with some, had undertaken to draw multitudes of others to assist the same by the authority of their persuasions, and motives grounded chiefly upon matter of conscience and religion: which when other princes shall duely observe, we assure ourselves they will no way conceive, that this alteration groweth from any change of disposition now more exasperate than heretofore, but out of necessary providence to prevent perils otherwise inevitable, considering that their absolute submission to foreign jurisdiction at their first taking of orders, doth leave so conditional an authority to kings over their subjects, as the same power, by which they were made, may dispense at pleasure with the straitest band of loyalty and love between a king and his people. Amongst which foreign powers, although we acknowledge ourselves personally so much beholding to the now bishop of Rome for his kind offices and private temporal carriage towards us in many things, as we shall be ever ready to requite the same towards him, as bishop in state and condition of a secular prince; yet when we consider and observe the course and claim of that see, we have no reason to imagine,

that princes of our religion and profession, can expect any assurance long to continue, unless it might be assented by mediation of other princes christian, that some good course might be taken by a general council free and lawfully called; to pluck up those roots of dangers and jealousies, which arise for cause of religion, as well between princes and princes, as between them and their subjects, and to make it manifest that no state or potentate either hath, or can challenge power to dispose of earthly kingdoms or monarchies, or to dispense with subjects obedience to their natural sovereigns: in which charitable action, there is no prince living, that will be readier than we shall be, to concur even to the uttermost of our power, not only out of particular disposition to live peaceably with all states and princes of christendom, but because such a settled amity might by an union in religion be established among christian princes, as might enable us all to resist the common enemy. Given at our palace of Westminster the 2d day of February, in the first year of our reign of England, France, and Ireland, and of Scotland the seven and thirtieth.

Sede Cant.
vacante.

Anno Christi
1603.

Reg. Angliae
JACOB. I. I.

A proclamation for the authorizing and uniformity of the book of common prayer to be used throughout the realm.

ALTHOUGH it cannot be unknown to our subjects by the former declarations we have published, what our purposes and proceedings have been in matters of religion since our coming to this crown; yet the same being now by us reduced to a settled form, we have occasion to repeat somewhat of that which hath passed; and how at our very first entry into the realm being entertained and importuned with informations of sundry ministers, complaining of the errors and imperfections of the church here, as well in matter of doctrine, as of discipline, although we had no reason to presume that things were so far amiss, as was pretended, because we had seen the kingdom under that form of religion, which by law was established in the days of the late queen, of famous memory, blessed with a peace and prosperity, both extraordinary and of many years continuance (a strong evidence that God was therewith well pleased) yet because the importunity of the complainers was great, their affirmations vehement, and the zeal, wherewith the same did seem to be accompanied, very specious; we were moved thereby to make it our occasion to discharge that duty, which is the chiefest of all kingly duties, that is, to settle the affairs of religion and the service of God before their own, which while we were in hand to do, as the contagion of the sickness reigning in our city of London, and other places would permit an assembly of persons meet for that purpose; some of those who disliked the state of religion here established, presuming more of our intents, than

ever we gave them cause to do, and transported with humour, began such proceedings, as did rather raise a scandal in the church, than take offence away. For both they used forms of public serving of God not here allowed, held assemblies without authority, and did other things carrying a very apparent shew of sedition, more than of zeal; whom we restrained by a former proclamation in the month of October last, and gave intimation of the conference we intended to be had with as much speed as conveniently could be, for the ordering of those things of the church, which accordingly followed in the month of January last, at our honour of Hampton court, where before ourselves, and our privy council were assembled many of the gravest bishops and prelates of the realm, and many other learned men, as well of those that are conformable to the state of the church established, as of those that dissented; among whom, what our pains were, what our patience in hearing and replying, and what the indifferency and uprightness of our judgment in determining, we leave to the report of those, who heard the same, contenting ourselves with the sincerity of our own heart therein. But we cannot conceal, that the success of that conference was such as happeneth to many other things, which moving great expectation before they be entered into, in their issue produce small effect. For we found mighty and vehement informations supported with so weak and slender proofs, as it appeared unto us and our council, that there was no cause,

why any change should have been at all in that, which was most impugned, the book of common prayer, containing the form of the public service of God here established, neither in the doctrine, which appeared to be sincere, nor in the forms and rites, which were justified out of the practice of the primitive church. Notwithstanding we thought meet, with consent of the bishops and other learned men there present, that some small things might rather be explained, than changed; not that the same might not very well have been borne, with by men, who would have made a reasonable construction of them; but for that in a matter concerning the service of God we were nice or rather jealous, that the public form thereof should be free not only from blame, but from suspicion, so as neither the common adversary should have advantage to rest ought therein contained to other sense, than the church of England intendeth, nor any troublesome or ignorant person of this church be able to take the least occasion of cavil against it: and for that purpose gave forth our commission under our great seal of England to the archbishop of Canterbury and others, according to the form, which the laws of this realm in like case prescribe to be used, to make the said explanation, and to cause the whole book of common prayer, with the same explanations, to be newly printed. Which being now done and established anew after so serious a deliberation; although we doubt not but all our subjects, both ministers and others will receive the same with such reverence as appertaineth, and conform themselves thereunto every man in that, which him concerneth; yet have we thought it necessary to make known by proclamation our authorizing of the same, and to require and enjoyn all men, as well ecclesiastical as temporal, to conform themselves unto it, and to the practice thereof, as the only public form of serving of God, established and allowed to be in this realm. And the rather, for that all the learn-

ed men, who were there present, as well of the bishops, as others, promised their conformity in the practice of it, only making suit to us, that some few might be borne with for a time.

Wherefore we require all archbishops, bishops, and all other public ministers, as well ecclesiastical, as civil, to do their duties in causing the same to be obeyed, and in punishing the offenders according to the laws of the realm heretofore established for the authorizing of the said book of common prayer. And we think it also necessary, that the said archbishops and bishops do each of them in his province and diocese take order, that every parish do procure to themselves within such time, as they shall think good to limit, one of the said books so explained. And last of all we do admonish all men, that hereafter they shall not expect nor attempt any further alteration in the common and public form of God's service, from this which is now established; for that neither will we give way to any to presume, that our own judgment having determined in a matter of this weight, shall be swayed to alteration by the frivolous suggestions of any light spirit; neither are we ignorant of the inconveniences, that do arise in government, by admitting innovation in things once settled by mature deliberation; and how necessary it is to use constancy in the upholding of the public determinations of states; for that such is the unquietness and unsteadfastness of some dispositions, affecting every year new forms of things, as, if they should be followed in their inconstancy, would make all actions of states ridiculous and contemptible: whereas the steadfast maintaining of things by good advice established, is the weal of all common wealths. Given at our palace of Westminster the fifth day of March, in the first year of our reign of England, France, and Ireland, and of Scotland the seven and thirtieth, anno Domini, M.DC.III.

Sede Cant.
vacante.

Anno Christi
1603.

Reg. Angliae
JACOB. I. I.

Convocatio praelatorum et cleri provinciae Cantuar. Ex MS. Mil. Smith, apud
Tho. episc. Assaven.

CONVOCATIO praelatorum et cleri provinciae Cantuar. sede archiepiscopali vacante, ad 20. diem mensis Martii per breve regium in ecclesia D. Pauli London congregata fuit; in qua primum nomina utriusque domus postea duo brevia regia, unum archiepiscopo jam mortuo, alterum decano et cap. Cantuar. directa, dein commissio custodum spiritualitatis domino episcopo London. directa, ejusdemque certificatorium perfecta fuerunt.

Commissio custodum spiritualitatis episcopo London. Ex archiv. eccl. Cant.

Reverendo in Christo patri et domino, domino Richardo, permissione divina London. episcopo, Thomas Nevile, S. T. P. decanus ec-

clesiae cathedralis et metropoliticae Christi Cant. et ejusdem ecclesiae capitulum custodes spiritualitatis Cant. sede archiepiscopali ibidem jam vacante, salutem, et reverentiam debitam cum honore. Ad interessendum et praesidendum vice, loco, et auctoritate nostris in sacra synodo five convocatione praelatorum [et] cleri Cant. provinciae vicesimo die praesentis mensis Martii, in domo capitulari ecclesiae cathedralis divi Pauli London. necnon ad communicandum, tractandum, et concludendum cum aliis reverendis patribus dictae provinciae Cant. coepiscopis, ac praelatis, et clero ejusdem provinciae, de et super quibuscunque causis et negotiis in hujusmodi sacra synodo five convocatione proponendis, tractandis, et concludendis; atque hujusmodi

hujusmodi sacram synodum five convocationem de die in diem, atque de loco in locum, si videbitur expediens, continuandum et prorogandum, prout in ea parte fieri assolet et consuevit; caeteraque omnia et singula alia faciendum, exercendum, et expediendum, quae in praemissis, et circa ea necessaria fuerint, seu quomodolibet opportuna et requisita, paternitati vestrae reverendae committimus vices nostras, ac plenam in Domino, quantum in nobis est, concedimus potestatem pariter [et facultatem]. In cujus rei

testimonium nos praedicti decanus et capitulum [figillum] nostrum commune praesentibus apposuimus. Dat. in domo nostra capitulari] duodecimo die Martii, anno Domini juxta computationem ecclesiae Anglicanae millesimo sexcentesimo tertio.

In secunda sessione (Mart. 23.) D. Ravis, prolocutor in ecclesia S. Pauli London. praesentatus confirmabatur.

Sede Cant.
vacante.

Anno Christi
1604.

Reg. Angliae
JACOB. I. 2.

Convocatio praelatorum et cleri provinciae Cantuar. Ex MS. Mil. Smith apud episc. Aflaven.

IN tertia et quarta hujus synodi sessione nihil actum fuit: in quinta, quae fuit decimo tertio die mensis Aprilis, episcopus London. licentiam regiam canones condendi coram concilio legi jubet, quam infra in actis Ebor. concilii anni M.DC.V. videbis.

Eodem die, sc. 13. Aprilis, episcopus London. nonnullos elegit episcopos ad conferendam cum oratore et aliis membris domus inferioris parlamenti super querelis coram iis propositis contra clericos, et ad enarranda coram oratore et membris domus inferioris parlamenti gravamina clericorum contra laicos. Quia autem orator ea recipere noluit, episcopus London. totum hoc negotium domui superiori parlamenti proposuit.

Haec dum agerentur, episcopus London. secundo die Maii prolocutori librum canonum perlegendum tradit, cujus examen utrique domui synodi in aliis sessionibus committit. Illo ipso die tres clerici, Egerton, Fleetwood, et Wotton, cum aliis fociis suis reformationem liturgiae Anglicanae per petitionem domui inferiori convocationis traditam expetebant. Hos episcopus London. et alii episcopi admonebant ad obedientiam et assensum praestand. liturgiae regia auctoritate stabilitae, illisque festum S. Johannis Baptistae assignabant ad consentiendum huic monitioni. Decimo octavo die mensis Maii dominus rex articulos religionis anno M.D.LXII. promulgatos, synodo mittit de novo approbandos

et subscribendos: quod etiam factum est.

Vicesimo tertio die ejusdem mensis controversia de cruce in baptismo oriebatur.

Tricesimo die sequente mensis Maii "The prolocutor complains to the bishops, that he had two subpoenas serv'd upon him by Harrington and Walker, notwithstanding his privilege. The prolocutor answers, that the king was acquainted with it, and that Walker was arrested for it by a serjeant at mace, and a warrant gone for Harrington. In alia (21.) sessione "Walker, abovesaid convented before the bishops, sent to the lower house, to beg pardon of the prolocutor and house, which he did, and was dismissed pro tempore." Junii vicesimo nono "Harrington was brought upon his knees for serving a subpoena upon the prolocutor.

In vicesima quarta hujus synodi sessione (Jun. 13.) liber vocatus Limbo-matrix, multum exclamans contra ecclesiastica officia, introducebatur, qui examini et consultationibus concilii submittebatur.

Per multas deinde sessiones liber canonum approbatus et confirmatus, ex manibus synodi typographorum curae committebatur: et post varias continuationes de die in diem, convocatio haec per breve regium a decano et capitulo Cantuar. episcopi London. executioni traditum, ad 8. diem mensis Februarii, et ab hoc per aliud breve archiepiscopo Cant. directum, ad 4. diem Octobris anni sequentis prorogabatur.

Convocatio Ebor.

CLERUS provinciae Ebor. per breve regium dat. apud Westm. 31. die Januarii, anno regni 1. in ecclesia metropolitana S. Petri Ebor. convocabatur, et deinde a 20. die mensis Martii ad 3. diem Aprilis anni sequ. prorogabatur.

Ab hoc die 3. Aprilis de die in diem per varias prorogationes in 6. diem Julii continuata, per breve regium eodem datum die apud Westm. anno regni 11. ad 8. diem Februarii, et ab eo ad 4. diem Octobris anni M.DC.V. prorogabatur.

Sede Cant.
vacanteAnno Christi
1604.Reg. Angliae
JACOB. I. 2.

Constitutiones sive canones ecclesiastici, per episcopum Londinensem, praesidem synodi pro Cantuariensi provincia, ac reliquos episcopos, et clerum ejusdem provinciae ex regia auctoritate tractati, et conclusi in ipsorum synodo inchoata Londini anno salutis millesimo sexcentesimo tertio, regnique serenissimi principis, clementissimi domini nostri Jacobi, Dei gratia Angliae, Franciae, et Hiberniae regis primo, et Scotiae tricesimo septimo; ab eadem regia maiestate deinceps approbati, ratihabiti, ac confirmati, ejusdemque auctoritate sub magno sigillo Angliae promulgati, per utramque provinciam, tam Cantuariensem quam Eboracensem diligenter observandi.

De ecclesia Anglicana.

I. Suprema in ecclesiam Anglicanam auctoritas regiae maiestati asserenda.

PROUT officii nostri ratione erga serenissimam maiestatem regiam obligamur, inprimis statuimus et ordinamus, ut archiepiscopus Cantuariensis pro tempore existens, omnes episcopi hujus provinciae, decani item, archidiaconi, rectores, vicarii, caeterique ex clero quicunque, tum ipsi fideliter custodiant ac observent, tum (quantum in ipsis est) ab aliis curent observari, et custodiri omnia et singula statuta, ac leges sancitas et constitutas, pro antiqua jurisdictione in statum ecclesiasticum hujus regni coronae restituenda, omnique extranea potestate, quae eidem repugnet, exterminanda. Porro etiam, ut omnes ecclesiasticae personae ad curam animarum constitutae, omnesque alii concionatores et theologici in quibuscunque ecclesiis praelectores (quantum ingenio, cognitione, ac doctrina valebunt) pure et sincere absque omni fuco aut dolo, singulis annis quater ad minimum publice in concionibus, aliisque homiliis, ac praelectionibus suis doceant, divulgent, enuncient, ac declarent, usurpatam omnem et peregrinam potestatem (utpote nullo jure divino nixam et fundatam) justissimis de causis sublatam esse et abolitam; et propterea nullam obedientiam aut subjectionem infra maiestatis suae regna et dominia hujusmodi extraneae potestati cuicunque ullatenus deberi: sed auctoritatem regiam infra regna sua Angliae, Scotiae, et Hiberniae, ac reliqua ipsius dominia et territoria proxime et secundum Deum primam esse et supremam, cui omnes earundem regionum tam incolae, quam indigenae fidem omnem, et obedientiam supra aliam quamcunque in terris potestatem lege divina tenentur exhibere.

II. Regii in ecclesiam Anglicanam primatus impugnatores coerciti.

Quicunque in posterum affirmabit, maiestatem regiam non habere eandem auctoritatem in causis ecclesiasticis, quam pii principes apud Judaeos, et christiani imperatores in primitiva ecclesia obtinuerunt, vel regalem ipsius in iisdem causis primatum, hujus regni coronae jamdiu vindicatum, ac legibus ejusdem regni in ea stabilitum, ullatenus laedere aut extenuare prae-

sumpserit: excommunicetur ipso facto, non, nisi per archiepiscopum restituendus, idque postquam resipuerit, ac impios hosce errores publice revocarit.

III. Ecclesia Anglicana orthodoxa.

Quicunque in posterum affirmabit, ecclesiam Anglicanam, sub regia maiestate legibus stabilitam, non esse orthodoxam, et apostolicam ecclesiam, apostolorum videlicet doctrinam tradentem, et asruentem, excommunicetur ipso facto, non nisi per archiepiscopum restituendus, idque postquam resipuerit, ac impium hunc errorem publice revocarit.

IV. Divina cultus ratio in ecclesia Anglicana stabilita, pia et orthodoxa.

Quicunque in posterum affirmabit, liturgiae formam in ecclesia Anglicana legibus stabilitam, et in libro precum publicarum, ac administrationis sacramentorum comprehensam, corruptum, superstitiosum, aut illicitum esse Dei cultum, vel quicquam in se continere, quod Scripturarum canoni sit contrarium, excommunicetur ipso facto, non nisi per episcopum dioecesanum, vel archiepiscopum restituendus, idque postquam resipuerit, ac impium hunc errorum publice revocarit.

V. Doctrinae articuli in ecclesia Anglicana stabiliti, pii et orthodoxi.

Quicunque in posterum affirmabit, ullum ex triginta novem articulis, in quos consensum est ab archiepiscopis et episcopis utriusque provinciae, ac reliquo omni clero in synodo Londini habita anno Domini M.D.LXII. (ad tollendam utique opinionum varietatem, et consensum in causa fidei firmandum, et stabiliendam) ulla ex parte superstitiosos aut erroneos existere, vel omnino ejusmodi, ut in eorum veritatem salva conscientia subscribi nequeat, excommunicetur ipso facto, non nisi per archiepiscopum restituendus, idque postquam resipuerit, ac impios hos errores publice revocarit.

VI. Ceremoniarum in ecclesia Anglicana obtinentium usus, pius et licitus.

Quicunque in posterum affirmabit, ecclesiae Anglicanae ritus ac ceremonias legibus constitutas

tutas, impias, antichristianas, aut superstitiosas esse, vel denique ejus generis, ut homines pii ac religiosi, quantumvis legitima auctoritate jussi, non possint integra conscientia eas approbare, aut observare, vel etiam (prout occasio tulerit) eisdem subscribere, excommunicetur ipso facto, nullatenus absolvendus, priusquam resipuerit, ac impios hos errores publice revocarit.

VII. *Ecclesiae Anglicanae administratio verbo divino consona.*

Quicumque in posterum affirmabit, ecclesiae Anglicanae sub regia maiestate regimen et disciplinam per archiepiscopos, episcopos, decanos, archidiaconos, et reliquos ad ejusdem gubernaculum constitutos, antichristianum esse, ac verbo divino contrarium, excommunicetur ipso facto, nullatenus absolvendus, priusquam resipuerit, ac impium hunc errorem publice revocarit.

VIII. *Cleri ordinandi ratio in ecclesia Anglicana verbo divino consona.*

Quicumque in posterum affirmabit, aut docebit, formam et ritum episcopos, presbyteros, et diaconos ordinandi, et inaugurandi quicquam in se continere, quod pugnet cum verbo divino, illosque omnes, quotquot ad eum modum episcopi, presbyteri, et diaconi ordinantur, non esse rite ordinatos, neque vel a seipsis vel ab aliis pro episcopis, presbyteris, aut diaconis habendos, priusquam ad sacra illa officia aliam ordinationem fuerint adepti: excommunicetur ipso facto, nullatenus absolvendus, priusquam resipuerit, ac impios hos errores publice revocarit.

IX. *Auctores schismatis ac dissidii ab ecclesiae Anglicanae communione coerciti.*

Quicumque in posterum a sanctorum communione, qualiter in ecclesia Anglicana existet ex apostolorum regulis approbata, seipsum segregabunt, et novo fraternitatis cujusdam foedere consociati, christianos omnes, quotquot doctrinae, disciplinae, ritibus, ac ceremoniis ecclesiae Anglicanae se conformes exhibent, prophanos ducent, et indignos quibuscum in christiana professione communicent, excommunicentur ipso

facto, non nisi per archiepiscopum restituendi, idque postquam resipuerint, ac impios hos errores publice revocarint.

X. *Schismaticorum in ecclesia Anglicana fautores coerciti.*

Quicumque in posterum affirmabunt, tum ministros illos, qui formae et modo divini cultus in ecclesia Anglicana constitutis, ac in libro publicae liturgiae praescriptis, recusant subscribere, tum eorum etiam sectatores alterius ecclesiae, quae non sit lege stabilita, nomen et titulum posse sibi merito assumere; itemque audebunt vulgo asseverare, praetensam hanc ipsorum ecclesiam jamdiu ingemuisse sub onere certorum gravaminum, sibi et membris suis supradictis impositorum per ecclesiam Anglicanam, ac decreta et sanctiones in eadem legibus stabilitas, excommunicentur ipso facto, nullatenus absolvendi, priusquam resipuerint, ac impios hos errores publice revocarint.

XI. *Conventiculorum in ecclesia Anglicana propugnatores coerciti.*

Quicumque in posterum affirmabit, aut tuebatur, ullos conventus, coetus, aut congregationes subditorum indigenarum infra hoc regnum existere, praeter eos, qui ex hujus regni legibus tenentur, et approbantur, qui verarum, et legitimarum ecclesiarum nomen possint sibi jure vindicare, excommunicetur, non nisi per archiepiscopum restituendus, idque postquam resipuerit, et impium hunc errorem publice revocarit.

XII. *Ordinationum in conventiculis conditarum propugnatores coerciti.*

Quicumque in posterum asseverabunt, licitum esse cuivis ministrorum aut laicorum ordini, vel eorum alterutris simul congregatis, canones, decreta, aut constitutiones de rebus ecclesiasticis citra regis auctoritatem condere; et eisdem regendos et gubernandos se subjiciunt, excommunicentur ipso facto, nullatenus absolvendi, priusquam resipuerint, et impios hos Anabaptisticos errores publice revocarint.

De cultu divino, et sacramentorum administratione.

XIII. *Liturgia publica, et reliqua pietatis exercitia diebus sacris celebranda.*

Omnes, cujuscunque conditionis aut status personae infra ecclesiam Anglicanam deinceps celebrabunt diem dominicum (vulgo diem Solis nuncupatum) caeterosque dies festivos, juxta regulam divinae voluntatis, et ecclesiae Anglicanae instituta hac in parte praescripta; nimirum in audiendo verbo Dei tam lecto, quam praedicato, in privatis publicisque precibus faciendis, in peccatis Deo confitendis, et eisdem emendandis, in charitate cum proximis (sicubi laesa fuerit) reconcilianda, in sacra communione corporis et sanguinis dominici frequentanda, in pauperibus juvandis, et aegrotis visitandis,

piam omnem ac sobriam conversationem interim adhibentes.

XIV. *Liturgiae publicae praescriptus canon diebus sacris observandus.*

Liturgia publica distincte, et debita cum reverentia legetur, vel canetur in illis diebus, et eorum vigiliis, qui in libro precum publicarum sacri ac festivi designantur, horisque eorundem congruis, et usitatis, atque in eo potissimum ecclesiae cujusque loco, qui episcopo dioecesano, vel loci ordinario (ratione vel amplitudinis vel angustiae) commodissimus, ac ad populi aedificationem maxime opportunus videbitur. Singuli etiam ministri studiose observabunt instituta, ritus, et ceremonias omnes, quae in dicto libro praescribuntur, tam in sacris scripturis

ris legendis, ac precibus recitandis, quam in administrandis sacramentis, absque ulla five materiae five formae additione, aut diminutione, respectu vel concionis, vel alterius causae cujuscunque.

XV. *Litania diebus Mercurii et Veneris recitanda.*

Litania a rectoribus, vicariis, ministris, five curatis in cathedralibus, collegiatis, et parochialibus ecclesiis ac capellis omnibus, eorumque loco aliquo conveniente pro arbitratu episcopi dioecesani, vel loci ordinarii recitabitur vel canetur illis temporibus, et sub ea forma, quae in libro publicae liturgiae praestituitur; ac (ut restrictius loquamur) singulis diebus Mercurii et Veneris (etiam si non fuerint festivi) minister ad horas divinis precibus consuetas in ecclesia aut capella praesto erit, ac populo per sonitum campanae convocato, litaniam in dicto libro praescriptam recitabit; cui singuli patrefamilias, qui praesertim infra dimidium milliare ab ecclesia habitant, vel ipsi debebunt interesse, vel unum saltem de familia sua mittere idoneum, qui ministro inter precandum assistat.

XVI. *Liturgiae publicae praescriptus canon in academiis observandus.*

In omnibus utriusque academiae collegiis et aulis per integram liturgiam et sacrae coenae administrationem debite, et absque omni aut omissione, aut innovatione observari volumus ordinem, formam, ac ceremonias omnes, prout in dicto publicae liturgiae libro praescriptae inveniuntur.

XVII. *Inter liturgiae publicae celebrationem superpellicia, et epomides in academiis adhibendae.*

In omnibus utriusque academiae collegiis et aulis praefecti ac socii, caeterique scholares et studiosi in ecclesiis et capellis suis per singulos dies dominicos et festivos, eorumque vigilias tempore divinorum superpelliciis (juxta ecclesiae Anglicanae mores ac instituta) utentur; quotquot vero gradum aliquem susceperint, caputia suo cujusque gradui competentia superpelliciis suis superinduent.

XVIII. *Inter liturgiae publicae celebrationem reverentia solennis adhibenda.*

Cum divina peraguntur, vel eorum pars quaelibet, aequum est, ut condigna omnis reverentia adhibeatur: sic enim monet apostoli praeceptum illud, "Omnia decenter, et secundum ordinem fiant." Cui decentiae, atque ordini regulas hasce nostras sequentes consentaneas esse judicamus. Nullus in ecclesia vel capella inter rem divinam caput suum operiet, nisi ex causa infirmitatis, quo casu pileolo, aut rica utendum censemus. Omnes cujuscunque status aut conditionis personae humiliter in genua se inclinabunt, dum generalis confessio, litania, et reliquae preces recitantur; cum autem fidei symbolum recensetur, stabunt erecto corpore, juxta regulas in libro publicae liturgiae in eam par-

tem praefinitas. Similiter etiam nomen Domini Jesu, quoties inter divinum cultum inciderit, congrua ac humili reverentia ab universis tum praesentibus excipietur, prout haecenus fieri consuevit; ut per externas hasce ceremonias et gestus testatam faciant internam ipsorum humilitatem, christianam constantiam, et debitam agnitionem, quod Dominus Jesus Christus, verus et aeternus Dei filius, unicus est mundi salvator, in quo solo omnes, misericordiae, gratiae, ac promissiones homini a Deo indultae, tam in praesentem vitam, quam futuram, integrae et in totum comprehenduntur. Nullus porro, cujuscunque tandem sexus, aetatis, aut conditionis fuerit, in ecclesia tempore divini cultus in aliud quicquam intendet, quam ut quiete auscultans audiat, observet, ac intelligat, quod a ministro legitur, praedicatur, aut administratur; eique confessionem, orationem dominicam, et symbolum recitanti, clara voce subserviat, aliaque in publicis precibus responsa subjiciat, quae in libro communis liturgiae praecipuntur. Nullus denique preces vel concionem ambulando, aut garriendo, seu alio quovismodo interpellabit, vel ex ecclesia ante easdem peractas, absque iusta, aut probabili causa egredietur.

XIX. *Inter liturgiae publicae celebrationem otiosi ab ecclesiae ambitu repellendi.*

Oeconomi ecclesiarum, et inquisitores five assistentes personas otiosas non patientur in coemeterio, vel ecclesiae porticu tempore divini cultus aut concionis desidere, sed eos vel ecclesiam ingredi compellent, vel abscedere.

XX. *Panis et vinum in sacrae coenae usum paranda.*

Parochiarum omnium oeconomi (consulto hac in parte ministro) curabunt idoneam, pro numero communicantium, panis filiginei, vinique boni ac salubris quantitatem, in tempus sacrae coenae praestitutum, sumptibus parochianorum comparari; vinumque illud ad mensam Domini afferri in oenophoro nitido, et mundo, eoque ex stanno, si non ex metallo praestantiore.

XXI. *Coenae trina perceptio quotannis indicta.*

In omnibus hujus regni ecclesiis parochialibus, ac capellis, in quibus sacramenta sunt administranda, coenam dominicam a rectore, vicario, vel ministro toties, iisque temporibus celebrari volumus, ut parochiani singuli quotannis ter ad minimum (nominatim vero in festo Paschatis) sicut in libro publicae liturgiae jubentur, possint sacramentum illud percipere. Provisio semper, ut minister quilibet sacram illam coenam administraturus, ipse semper primus communice. Insuper siquid panis aut vini inter coenae administrationem afferri contigerit, illud ad sacramenti usum vetamus adhiberi, priusquam, eodem in mensa Domini appposito, institutionis verba fuerint recitata. Porro etiam ordinamus, ut administrans panem et vinum singulis communicantibus separatim et per vices distribuat.

XXII. *Coenae administrationem solennis indictio praecire jussa.*

Cum laicorum quisque ad sacrae coenae communionem ter quotannis obligetur, multique nihilominus vix semel communicent; ministris omnibus praeceptum volumus, ut quotiescunque sacramentum illud celebrare voluerint, parochianis suis solenniter in ecclesia inter preces matutinas, idque praecedente die dominico (quo melius veniant praeparati) id denunciare non omittant; quas utique monitiones parochiani vicissim suscipere, ac eisdem parere sub periculo et poena legis tenebuntur.

XXIII. *Coenae usus frequentior academicis indictus, et coena utentibus genuum flexio injuncta.*

In omnibus utriusque academiae collegiis et aulis praefecti et focii, qui praesertim pupillos habent, sedulo prospicient, ut ipsorum pupilli omnes, et reliqui, qui inter eos agunt, universi recte et pie educantur, ac in articulis religionis penitus instituantur, publicamque liturgiam et conciones diligenter frequentent, quinetiam sacram coenam jugiter percipiant, quam primo quoque vel secundo cujuslibet mensis die dominico in eisdem collegiis et aulis administrandam decernimus; volumusque ut singuli eorundem praefecti, focii, scholares, reliquique studiosi, ac officarii, et illorum quilibet famuli ac ministri unoquoque anno quater ad minimum ejusdem sint participes, idque in genua reverenter (ut par est) inclinati, juxta ritum in libro publicae liturgiae ea in parte praestitutum.

XXIV. *Coenae in festis solennibus administratio in ecclesiis cathedralibus indicta, et coenam administrantibus capparum usus injunctus.*

Per cathedrales omnes et collegiatas ecclesias sacram coenam in festis solennibus administrari volumus, nonnunquam per episcopum, siquidem praefens extiterit, nonnunquam vero per decanum, quandoque etiam per canonicum vel praebendarium (ministrum ibidem maxime eminentem) eundemque decente cappa amictum, ac adjutum ab evangelii et epistolae lectoribus, juxta admonitiones in septimo Elizabethae promulgatas, idque iis horis, et cum illa prorsus limitatione, quae in libro publicae liturgiae praefiniuntur. Provisio semper, ut nulla ejusmodi limitatio admittatur, cujusvis tandem interpretationis praetextu, quominus singuli decani, guardiani, magistri, sive praefecti cathedralis cujusque et collegiatae ecclesiae, et cuncti etiam earundem praebendarii, canonici, vicarii, minores canonici, cantores, reliquique de ecclesiae gremio universi, si non frequentius, saltem quater omni anno sacramentum percipiant.

XXV. *Superpelliciorum et epomidum usus, coena non administrata, in ecclesiis cathedralibus indictus.*

In cathedralibus et collegiatis ecclesiis, cessante coena dominica, satis erit tempore divi-

norum superpelliciis duntaxat uti; nisi quod ecclesiarum collegiatarum decani, magistri, et praefecti, itemque canonici, ac praebendarii (dummodo graduati) cum superpelliciis caputia gradibus suis respective congrua inter rem divinam gerere tenebuntur.

XXVI. *Notorii peccati consuetudine infames a sacra coena repellendi.*

Nullus ministrorum ex grege aut cura sua quemquam ad sacrae coenae communionem ullo pacto admittet, qui manifeste notus erit in infami peccato impenitenter vivere, nec qui cum proximis suis malitiose et aperte contenderit, nisi reconciliatio intercesserit; neque etiam ecclesiarum oeconomos aut assistentes ullos, qui cum juramentum susceperint pro omnibus iis delictis notoriis, de quibus particulatim iussu erunt infra suas respective parochias inquirere, bis quolibet anno ad ordinarium suum deferendis, non verenter tamen, spreta juramenti sui religione (cujus alioqui fidelis executio potissima ratio existit, per quam publica peccata, et scandala rescindi possint, et coerceri) etiam volentes et scientes in perjurii crimen perditae, ac nefarie incurrere, dum vel negligunt, vel recusant ex praedictis criminibus, et delictis notoriis aliqua detegere, quae sciunt infra parochias suas esse perpetrata, vel congregationem saltem insigniter gravare, ac offendere; licet iidem vel a vicinis, vel a ministro, vel etiam ab ipso ordinario admoniti subinde fuerint, ut conscientias suas, dicta crimina praesentando, exonerarent, neque se vellent in horrendum illud perjurii scelus ausu tam nefario praecipitare.

XXVII. *Schismatici a coenae communione arcedendi.*

Ministri, cum coenam Domini administrant, neminem scienter ejusdem facient participem, qui in genua non fuerit inclinatus, sub poena suspensionis. Simili etiam poena prohibemus, ne alicui eandem distribuant, qui publicae liturgiae (juxta ecclesiae Anglicanae instituta) recusat interesse; vel qui librum publicarum precum ac sacramenta administrandi, ritusve et ceremonias quaslibet in eodem praescriptas, aut quicquam sive in articulis, qui in synodo, Anno M.D.LXII. conclusi sunt, sive in libro de ordinatione presbyterorum, et episcoporum comprehensum frequenter et notorie calumniatur; vel qui majestatis suae supremam in causis ecclesiasticis auctoritatem ullo dicto audet convellere, aut laedere; nisi singuli taliter delinquentes coram ministro, praesentibus una oeconomicis, delicti sui poenitentiam professi, viva voce prius sponderint, si nesciant scribere, se deinceps in eo genere nequaquam peccaturos, vel, si norint scribere, sub chirographo suo idem promiserint: quod eorum chirographum minister accipiens, ad episcopum dioecesanum, vel loci ordinarium quamprimum transmittet. Provisio semper, quod ministrorum quilibet, qui a sacra coena aliquem arcebit (prout in praesente, vel in superiore canone constitutum habetur) ad partis querelam, vel ordinarii re-

quisitionem,

quisitionem, talis facti sui rationem dicto ordinario reddet, atque ejusdem in ea parte beneplacito et mandato acquiescet.

XXVIII. *Extranei a coenae communione repellendi.*

OEconomi et inquisitores, sive assistentes (non minus quam ministri) attente observabunt, num omnes et singuli ex parochia sua toties ad sacrae coenae communionem annuatim accedant, quoties hujus legibus ac regni, nostris etiam constitutionibus jubentur: ac ulterius numqui extranei frequentius et usitatus a parochiis alienis ad ecclesiam suam conveniant; eosque (siqui erunt) ministro suo indicabunt, ne forte ad mensam Domini inter caeteros recipiantur; quod ii omnimodo prohibebunt, dictosque extraneos ad proprias parochiae suae ecclesias ac ministros dimittent, ut illic cum vicinis suis una communent.

XXIX. *Parentes in liberorum suorum baptismo, et pueri coenae Domini incapaces, susceptores esse prohibiti.*

Parentes liberorum suorum baptismati interesse non impellentur, neque eisdem etiam permittetur, pro propriis infantibus ad sacrum fontem susceptorum loco respondere. Praeterea nulli susceptori, aut susceptrici licitum erit, aliis verbis in respondendo uti, quam quae in libro publicae liturgiae hanc in partem sunt praescripta; nec quisquam ad officium susceptoris vel susceptricis pro parvulis baptizandis, vel confirmandis admittetur, qui coenae dominicae particeps nondum extiterit.

XXX. *Crucis in baptismo ceremonia explicata.*

Dolemus, praeclarissimum majestatis suae studium et laborem in colloquio ad aulam Hamptoniensem circa signum crucis in baptismo (inter alia plurima) susceptum, non meliores effectus apud multos consecutum, quin adhuc in eo haereatur, ejusque in baptismo usus tantopere impugnetur. Itaque quo melius constare possit legitima hujus ceremoniae ratio, simulque ut omnis scrupulus deinceps amoveatur, qui hominum vere religiosorum conscientias perturbare quoquo modo possit, nos in hac causa inclutissimi regis nostri vestigiis insistentes, ut qui scripturae auctoritate, et primitivae ecclesiae exemplo in eadem ducitur, regulas ac observationes hasce nostris sinceris omnibus ecclesiae Anglicanae membris commendamus.

Primo observandum est, quod etiamsi Judaei, ac Ethnici apostolos reliquosque christianos irrideret, quod eum praedicarent, in eumque crederent, qui crucis morte esset affectus; tantum tamen aberat, ut vel apostoli, vel reliqui christiani crucis opprobrio seipsos passi sint a professione sua deterreri, ut in eadem exultandi potius, et gloriandi animos inde fumerent.

Imo Spiritus Sanctus per apostolorum ora ipsum crucis nomen (Judaeis utique invisum) usque adeo honoravit, ut non modo Christum ipsum crucifixum sub eodem comprehenderet, sed et mortis ac passionis Christi vires, effectus,

ac merita, una cum solatiis, fructibus ac promissis universis, quae nos ex eisdem aut percipimus, aut in futurum expectamus.

Secundo, honor ac dignitas crucis nomini acquisita, etiam et signo crucis, vel ipsa apostolorum aetate (neque enim contrarium ostendi potest) existimationem peperit honorificam; adeo ut christiani haud multo post in cunctis actionibus suis eodem uti coeperint, eo ipso palam et aperte testatum facientes (etiam ad stuporem Judaeorum) se minime sibi pudori ducere, quod illum agnoscerent pro Domino et salvatore suo, qui crucis mortem pro ipsis pertulisset. Atque hoc crucis signum non modo ipsi, idque cum ostentatione quadam solebant adhibere, quoties Judaeis passim occurrerent; sed et liberos suos, cum baptismatis aqua abluerentur, eodem signari faciebant, ut eos per crucis symbolum illius servitio dedicarent, cujus in baptismo collata in ipsos beneficia, crucis nomine essent repraesentata; atque adeo hujus signi in baptismo usus in primaeva ecclesia receptus est unanimi consensu, maximoque omnium tam Graecorum, quam Latinorum applausu. Quo quidem seculo si quis huic signo se opposuisset, declaratus proculdubio fuisset pro hoste ac inimico nominis crucis, et proinde meritorum Christi, quorum illi tessera et signum adeo displiceret. Denique hujus signi usum continuum et generalem extitisse, ex multis patrum testimoniis perspicue declaratur.

Tertio fatendum est, crucis signum decursu temporis in ecclesia Romana graves abusus pertulisse, praesertim postquam eam papismi labes ac corruptela semel pervaserat. Caeterum rei abusus legitimum ejusdem usum nequaquam tollit. Imo tantum aberat, ut ecclesia Anglicana ab Italiae, Galliae, Hispaniae, Germaniae, aliisve similibus ecclesiis voluerit per omnia recedere, quicquid eas sciret tenere, aut observare, ut (quod ecclesiae Anglicanae apologia profitetur) ceremonias illas cum reverentia susciperet, quas citra ecclesiae incommodum, ac hominum sobriorum offensionem retineri posse senserat; et in iis tantum articulis a praedictis ecclesiis dissentiret, in quibus eaedam ipsae tum a pristina sua integritate prius desciverant, tum etiam ab ecclesiis apostolicis, a quibus primum sunt profeminatae. Quo quidem respectu, inter alias magnae vetustatis ceremonias, etiam et crucis in baptismo signum in ecclesia Anglicana est retentum, idque ex judicio et praxi venerabilium illorum patrum, magnorumque inprimis theologorum, qui regnante Edovardo sexto, in eadem claruerunt; quorum alii deinceps ob verae fidei professionem martyrium constanter pertulerunt, alii reginae Mariae temporibus exulantes, ac sub initium regni serenissimae reginae nuper defunctae in Angliam reversi, pro hoc signo semper steterunt, ejusque usum exemplo, ac praxi sua perpetuo commendarunt. Atque hoc ecclesiae nostrae judicium et praxis comprobata sunt tum per censuram, quae de libro publicae liturgiae tempore Edovardi sexti ferebatur, tum etiam per confessionum harmoniam recentioribus annis publicatam; quoniam

nimirum

nimirum hujus signi in baptismo usus in ecclesia Anglicana congruis omnibus ac idoneis cautelis et exceptionibus contra papisticam superstitionem atque errorem munitus semper fuit, prout in ejusmodi casibus fieri convenit.

Primo enim ecclesia Anglicana jam inde a papismo abolito semper sensit ac docuit, et hodie etiam sentit ac docet, signum crucis in baptismo adhibitum de ipsius sacramenti substantia haudquaquam existere. Nam ut primum minister infantem immergens in aquam, vel ejusdem faciei aquam inspergens, haec verba recitaverit, Baptizo te in nomine Patris, et Filii, et Spiritus Sancti: infans continuo plenum et perfectum baptismi sacramentum consequitur, adeo ut signum crucis post adhibitum, ad baptismi virtutem aut perfectionem nihil adjiciat, nec idem omisum, de ejus efficacia, aut substantia quicquam detrahat.

Secundo palam est in libro publicae liturgiae, infantem, postquam baptismum susceperit (crucis utique signo nondum superveniente) in Christi gregem ac ecclesiam, tanquam perfectum ejus membrum receptum esse ipsius adeo baptismi virtute, non autem potestate aliqua, quae signo crucis affingitur. Ita ut propter ipsam crucis memoriam, quae apud omnes vere in Christum credentes plurimi semper fuit, et re-

liquas etiam ob causas supradictas, ecclesia Anglicana ejus signum in baptizando usque retinendum censuerit, secuta nimirum ea in re primitivas et apostolicas ecclesias, atque hunc characterem pro licita externa ceremonia reputans et symbolo honorifico, per quod infans illius obsequio, qui crucis mortem subiit, in perpetuum votus esset et mancipatus; id quod ex verbis in libro publicae liturgiae expressis, facillime potest perspicui.

Postremo, quum usus signi hujus in baptismo in ecclesia Anglicana purgatus sit ab omni papistica superstitione ac errore, et in primariam institutionem vindicatus; nos freti orthodoxis iis doctrinae regulis de rebus mediis et adiaphoris, quas divino canoni, ac patrum antiquorum concordia sententiae judicamus esse, consentaneas, privati cujusque, tum ministri, tum alterius personae cujuscunque, statuimus esse verum ejusdem usum, publica auctoritate praescriptum, reverenter amplecti ac recipere; praesertim cum intelligant res, alioqui medias ac indifferentes, naturam suam aliquo modo mutare, postquam sub legitimi magistratus edictum, vel interdictum venerint, neque pro cujusque libitu praeter legem omittendas esse, cum praeciuntur, nec cum prohibentur, observandas.

De ministris, eorumque ordinatione ac functione.

XXXI. *Jejunia quatuor temporum ministrorum ordinationi decreta.*

Cum prisca sanctorum patrum auctoritas, apostolorum exemplo freta, in solenni ministrorum ordinatione preces ac jejunia celebranda praeceperit; iisdemque adeo precum et jejuniorum officiis stata quaedam tempora ex professo decreverit, in quibus duntaxat sacri ordines essent conferendi; nos sanctum et pium illorum institutum colentes, volumus et statuimus, ut nulli in posterum presbyteri aut diaconi ordinentur, nisi in diebus dominicis immediate sequentibus jejunia quatuor temporum, vulgo Septimanas Cinerum, ad preces et jejunia (idque hunc ipsum in usum) antiquitus institutas, atque in ecclesia Anglicana hodie continuatas. Quod utique fieri volumus in ecclesia cathedrali, vel parochiali, ubi episcopus commoratur, ac tempore divinorum, assistente non solum archidiacono, sed et decano, et duobus ad minus praebendariis, aut (illis legitime detentis) quatuor illis gravioribus personis, quae magistri artium ad minimum extiterint, et pro publicis concionatoribus legitime approbatae.

XXXII. *Utrumque ordinem eodem die non conferendum.*

Cum ex patrum antiquorum sententia, et primitivae ecclesiae praxi diaconi officium ad ministerii dignitatem gradus quidam sit constitutus; statuimus et ordinamus, ut nullus deinceps episcopus aliquam cujusvis conditionis personam (quibuscunque tandem animi dotibus commendatam) uno et eodem die diaconum et presbyterum constituat; quin ut ritus ea in parte praescriptus in libro de episcopis, presbyteris, et diaconis ordinandis, et inaugurandis, stricte

observetur; non quo diaconos omnes presbyterii aditu per annum integrum prohibeamus, cum tamen episcopus justam ejus admittendi causam alioqui invenerit, verum ut cum quatuor tempora diaconorum et presbyterorum ordinationi in singulos annos sint decreta, aliquid saltem spatii detur, ad periculum de singulis faciendum, quales in officio diaconi se exhibuerint, priusquam in ordinem presbyterorum suscipiantur.

XXXIII. *Neminem sine certo titulo ordinandum.*

Multis jam olim patrum decretis cautum est, ne quem liceret diaconum, vel presbyterum ordinari, nisi quem constaret, certum aliquem et designatum muneris sui exercendi locum per id tempus obtinere; quorum nos auctoritatem secuti, statuimus et ordinamus, ne quis deinceps in sacros ordines admittatur, nisi qui eodem tempore praesentationem sui ipsius ad promotionem aliquam ecclesiasticam infra dioecesin illius episcopi, a quo manuum impositionem petit, tunc vacantem exhibuerit; vel verum et indubitatum certificatorium attulerit, sive de ecclesia aliqua infra dioecesin seu jurisdictionem dicti episcopi, cujus cura fungi possit, sive de loco diaconi vel presbyteri in cathedrali aut collegiata aliqua ecclesia, infra eandem dioecesin vacante, in quo functionem suam exerceat; vel nisi fidem fecerit, se esse actu socium, aut jura socii obtinere, vel designatum esse conductitium sive capellanum in aliquo collegio Cantabrigienfi aut Oxoniensi, vel etiam ad magistri gradum ante quinquennium proventum, suis ibidem sumptibus degere; vel nisi ab episcopo ipsum ordinante, in beneficium sive ad exercendam aliquam curam, tunc etiam vacantem, bre-

vi post sit admittendus. Si quis vero episcopus in sacros ordines quemquam asciverit, qui praedictorum aliquo titulo non sit praeditus, tunc omnia illi necessaria eatenus subministrabit, donec eidem de aliqua ecclesia prospexerit. Quod si facere recusaverit, per archiepiscopum, uno praeterea episcopo assidente, ab ordinatione diaconorum et presbyterorum per integrum annum suspendetur.

XXXIV. *Certae conditiones in ordinandis requisitae.*

Nullus episcopus in sacros ordines quemquam de caetero cooptabit, qui non ex sua ipsius dioecesi fuerit, nisi vel ex altera nostratium academiarum prodierit; vel nisi literas, quas vocant dimissorias, attulerit ab episcopo, de cujus jurisdictione existit; et, si diaconus fieri expetit, vicesimum tertium, si presbyter, vicesimum quartum aetatis suae annum jam compleverit, ac etiam in altera dictarum academiarum gradum aliquem scholasticum susceperit; vel saltem nisi rationem fidei suae, juxta articulos religionis in synodo episcoporum et cleri ann. M.D.LXII. approbatos, Latino sermone reddere possit, et eandem scripturae testimoniis corroborare; ac ulterius de vita sua laudabili, et morum integritate literas testimoniales exhibuerit sub sigillo alicujus collegii Cantabrigiensis aut Oxoniensis, ubi antea moram fecerit, vel cert trium aut quatuor gravium ministrorum, una cum subscriptione et testimonio aliorum probabilium et fide dignorum hominum, quibus ejusdem vita et mores per proximum triennium fuerint explorati.

XXXV. *Neminem, nisi praevio solenni examine, ordinandum.*

Episcopus, priusquam cuilibet ordinando manus imponat, diligenti eum examine excutiet ac explorabit, praesentibus eisdem ministris, quos velit in impositione manuum sibi assistere. Quod si episcopus legitime impeditus praedicto examini vacare nequeat, illud tamen a praefatis ministris sollicitè fieri procurabit. Provisò semper, ut qui episcopo in dicta examinatione, et manuum impositione adesse debeant, de ipsius cathedrali ecclesia existant (siquidem eorum facultas dabitur) alioqui tres ad minus idonei concionatores ex eadem dioecesi adsciscantur. Quod si quis episcopus vel suffraganeus in sacros ordines quempiam sine praedictis qualitatibus, aut justo (ut supra) examine cooptarit, per provinciae suae archiepiscopum ea de re certiore factum, assidente uno alio episcopo, ab omni ordines conferendi potestate in integrum biennium secludetur.

XXXVI. *Neminem, nisi praevia trium articulorum subscriptione, ordinandum.*

Nemo ad sacros ordines, vel ecclesiasticum aliquod beneficium per institutionem aut collationem, vel ad concionatoris, praelectoris, aut catechistae munus exercendum sive in alterutra academia, sive in cathedrali vel collegiata aliqua ecclesia, sive in urbe aut oppido mercatorio,

sive in parochiali ecclesia vel capella, vel aliò denique hujus regni loco deinceps admittetur, nisi prius vel ab archiepiscopo, vel episcopo ejus dioeceseos, in qua est victurus, vel ab altera academiarum licentiam et facultatem earundem subscriptionibus, et sigillis munitam impetraverit, tribusque sequentibus articulis, modo et forma a nobis praefinitis, subscripserit.

I. Quod majestas regia secundum Deum unicus est et supremus gubernator hujus regni, omniumque aliorum ipsius dominiorum ac territoriorum, tam in omnibus spiritualibus sive ecclesiasticis rebus aut causis, quam in secularibus; et quod nullus extraneus princeps, vel persona, nec ullus praelatus, status, aut dominatus habet aut habere debet ullam jurisdictionem, potestatem, superioritatem, praeminentiam, vel auctoritatem ecclesiasticam sive spirituales infra majestatis suae dicta regna, dominia, et territoria.

II. Quod liber publicae liturgiae, et episcopos, presbyteros, et diaconos ordinandi et consecrandi, nihil in se contineat, quod verbo Dei sit contrarium, quodque eodem taliter uti liceat; et quod ipse in publicis precibus, et sacramentis administrandis illam prorsus formam, quae in dicto libro praescribitur, et non aliam sit observaturus.

III. Quod libro de religionis articulis, in quos consensus est ab archiepiscopis, et episcopis utriusque provinciae, ac reliquo omni clero in synodo Londinensi an. M.D.LXII. omnino comprobatur; et quod omnes ac singulos articulos in eodem contentos, qui triginta novem, citra ratificationem, numerantur, verbo Dei consentaneos esse agnoscit.

Hisce tribus articulis qui volet subscribere, ad vitandam omnem ambiguitatem, hac verborum formula, nomine et cognomine suo expressis, in subscribendo utetur: "Ego N. N. tribus his praefixis articulis, omnibusque in eisdem contentis, lubens et ex animo subscribo." Quod si quis episcopus aliquem ordinaverit, admisserit, vel facultate, aut licentia, ut superius dictum est, ulla donaverit, nisi prius sub modo et forma praestitutis subscripserit; is a collatione ordinum, et licentiarum ad concionandum per anni spatium submovebitur. Academias vero, si quid hac in parte deliquerint, juris ultioni, et regiae censurae relinquimus.

XXXVII. *Ordinatis, dioecesin mutantibus, subscriptio coram episcopo dioecesano iteranda.*

Si quis concionandi, legendi, praelegendi, vel catechizandi legitima alioqui potestate praeditus (ut supra) in ullam dioecesin ibidem commoraturus devenerit, is ad hujusmodi munera exercenda, vel ad sacramenta celebranda, aut quamlibet ecclesiasticam functionem illic obeundam nullatenus admittetur, a quocunque tandem dictam potestatem acceperit, nisi prius coram episcopo ejusdem dioeceseos, in qua munerum praefatorum aliquo fungi debeat, in supradictos articulos per manus suae subscriptionem consenserit.

XXXVIII. *Ordinati, post subscriptionem praevaricantes, a ministerio removendi.*

Siquis minister, postquam praefatis articulis subscripserit, liturgiae formula, vel ritibus et ceremoniis quibuscunque in libro precum publicarum indictis, uti deinceps omiserit, suspensionis poena coerceatur, ac nisi post mensem se emendarit ac submiserit, excommunicetur; quodsi per alium adhuc mensem in contumacia permanferit, a ministerio sacro amoveatur.

XXXIX. *Ordinati sine congruo testimonio ac examine in beneficia non instituendi.*

Nullus episcopus ministrum quemvis ab alio episcopo ordinatum, in beneficium aliquod de caetero instituet, nisi qui literas ordinationis suae eidem ostenderit, et de morum honestate, vitaeque probabili congruum testimonium, episcopo id postulante, exhibuerit; ac nisi debite examinatus, ministerio suo dignus inventus fuerit.

XL. *Instituendi in beneficia simoniae suspicionem solenni iurejurando jussi avertere.*

Ad detestabile simoniae peccatum coercendum (quoniam spiritualium, et ecclesiasticarum functionum, officiorum, promotionum, dignitatum, et beneficiorum nundinatio in Dei conspectu odiosa est, et execranda) statuimus et ordinamus, ut archiepiscopus, omnesque et singuli episcopi, atque alii, quibuscunque jus competit admittendi, instituendi, conferendi, consecrandi, vel electionem confirmandi cujusvis archiepiscopi, episcopi, vel alterius personae ad ecclesiasticam aliquam functionem, dignitatem, promotionem, titulum, officium, jurisdictionem, locum, aut beneficium cum cura, vel sine cura, vel ad ecclesiasticum ullum munus quodcunque, ante omnem ejusmodi institutionem, collationem, consecrationem, vel confirmationem electionis respective faciendam, unumquemque deinceps admittendum, instituendum, conferendum, inaugurandum, aut confirmandum in vel ad archiepiscopatum, episcopatum, vel aliam spiritualesive ecclesiasticam functionem, dignitatem, promotionem, titulum, officium, jurisdictionem, locum, aut beneficium cum cura, vel sine cura, vel ad ecclesiasticum ullum munus quodcunque, praesenti juramento oneret (quod utique per omnes, quorum intererit, in propriis personis, et non per procuratorem erit praestandum) sub modo et forma sequentibus: "Ego N. N. juro, me nullam simoniacam solutionem, stipulationem, vel promissum directe aut indirecte per me, vel per alium quemlibet (me conficio, aut consentiente) cuivis personae vel personis quibuscunque fecisse, pro vel de procuratione, vel acquisitione ecclesiasticae hujus dignitatis, loci, promotionis, officii, vel beneficii (exprimendo respective et nominatim locum illum, in quem admittendus, instituendus, conferendus, installandus, aut confirmandus erit) neque deinceps ullam ejusmodi solutionem, stipulationem, vel promissum absque mea notitia aut consensu factum, quovis tempore praestitutum. Ita me Deus adjuvet per Christum Jesum.

XLI. *Beneficiorum pluralitas parcius dispensanda, et de personali dispensatorum residentia cautio ineunda.*

Nemini in posterum facultas five dispensatio concedetur de pluribus beneficiis curatis simul retinendis, nisi tali duntaxat, qui pro eruditione sua dignior, et ad officium suum plenius praestandum habilis et idoneus censebitur; nimirum qui ad gradum magisterii ad minus in altera nostratium academiarum promotus fuerit, publicusque ac idoneus concionator, idemque legitime approbatus extiterit. Proviso semper, ut sufficienti cautione obstrictus teneatur, de personali sua residentia in singulis beneficiis per bonam anni cujusquam partem faciendam; ac ut ejusmodi beneficia non amplius triginta milliarum spatio abinvicem distent; et denique, ut in eo beneficio, in quo non residebit, concionatorem rite approbatum retineat, qui populum utiliter docere ac informare possit.

XLII. *Cathedralium ecclesiarum decani ad congruam residentiam tenentur.*

Quilibet decanus, praefectus, guardianus, vel rector primarius cujusquam ecclesiae cathedralis, vel collegiatae nonaginta dies ad minus in singulis annis conjunctim vel divisim in dicta cathedrali, vel collegiata ecclesia residebit, verbi divini praedicationi incumbens, et hospitalitatem interim exercens; nisi alias gravibus et urgentibus causis, iisque per episcopum dioecesanum, approbandis detentus fuerit, vel legitima aliqua ratione aliter dispensatus. Quamdiu autem illic moram fecerit, ipse cum reliquis pariter canonicis, vel praebendariis residentibus invigilabunt, ut ecclesiae suae statuta, et laudabiles consuetudines (modo verbo Dei, et praerogativae regiae non repugnent) necnon universa hujus regni statuta ad ecclesiasticum ordinem spectantia, quae in suo robore adhuc perdurant, omnesque aliae constitutiones regia auctoritate hactenus editae et stabilitae, et si quae per episcopum dioecesanum, juxta statuta et consuetudines ejusdem ecclesiae, ac leges ecclesiasticas hujus regni, in visitatione sua legitime praescribentur, inviolate custodiantur; ac ut minores canonici, vicarii chorales, aliique ecclesiae suae ministri ad sacrarum literarum studium compellantur, et eorum unusquisque Novum Testamentum non solum sermone vernaculo, sed et Latino penes se habeat.

XLIII. *Decani et praebendarii, in ecclesiis cathedralibus residentes, ad sedulam concionandi diligentiam tenentur.*

Cujusque ecclesiae cathedralis decanus, praefectus, guardianus, vel rector principalis, ac praebendarii, item et canonici non modo in ejusmodi ecclesiis suis, idque in propriis personis, toties concionabuntur, quoties lege, statuto, ordinatione, et consuetudine ad id tenentur; sed in aliis etiam ecclesiis ejusdem dioeceseos, in qua resident, ac in iis praecipue locis, unde vel ipsi, vel ipsorum ecclesiae vectigal aliquod, five fructus annuos percipiunt. Quodsi ipsi vel aegritudine, vel justa aliqua causa impediti abfuerint,

abfuerint, tum concionatores sufficienti auctoritate approbatos sua vice substituent, quales episcopus dioecesanus ad concionandum in ecclesia cathedrali idoneos judicabit. Secus si quis vices suas, prout dictum est, supplere quoquomodo omiserit, per episcopum, vel eos, ad quos ejus ecclesiae jurisdictio pertinebit, pro delicti merito, punietur.

XLIV. Praebendarii beneficiati ad congruam in beneficiis suis residentiam tenentur.

Nullus ecclesiae cathedralis aut collegiatae praebendarius, vel canonicus, qui unum vel plura beneficia curata obtinet, nec in sua ecclesia cathedrali aut collegiata residentiarius existit, a beneficiis suis curatis (praetextu praebendae suae) ultra tempus unius mensis aliquo anno aberit, nisi ex urgente causa, et pro certo tempore per episcopum dioecesanum approbandis. Qui autem ex dictis canonicis et praebendariis per ecclesiae suae cathedralis aut collegiatae ordinationes ad necessariam in eisdem residentiam, tenentur, ii inter se anni tempora ita partientur, pro residentia in dictis ecclesiis facienda, ut semper eorum aliqui personaliter illic resideant; omnesque, quotquot in praesenti sunt, aut de caetero futuri sunt residentiarii in ulla cathedrali aut collegiata ecclesia, post exactum residentiae suae terminum, per statuta localia, aut consuetudinem ecclesiae suae definitum, ad beneficia sua, vel unum ex iis, aut saltem ad aliam aliquam curam, in qua ipsorum praesentia lege requiritur, quamprimum convolabunt, ut debitis illic officiis perfungantur, juxta leges in ea parte constitutas, quas episcopus dioecesanus curabit executioni mandari.

XLV. Beneficiati concionatores, in beneficiis suis residentes, jugiter tenentur concionari.

Singuli beneficiati in beneficiis suis residentes, dummodo sint legitima auctoritate ad concionandum admissi, per singulos dies dominicos, justo impedimento cessante, in ecclesiis aut capellis suis, vel vicinarum aliqua ministro concionatore destituta (ubi maxime facultas datur) concionem ad populum habebunt unam, in qua sobrie, et sincere verbum veritatis dividunt in Dei gloriam, et salutarem populi aedificationem.

XLVI. Beneficiati non concionatores vicariam concionatoris operam jubentur singulis mensibus adhibere.

Omnis beneficiatus ad concionandum non admissus, concionem singulis mensibus unam ad minus in ecclesia sibi credita, per concionatorem legitime approbatum, haberi procurabit, si tamen beneficii valor ordinarii judicio id ferre posse videbitur; omni autem die dominico, cum in ipsius ecclesia deficiet concio, dictus beneficiatus aliquam ex homiliis, publica auctoritate praescriptis aut praescribendis, per se vel certe per curatum suum recitabit.

XLVII. Beneficiati, a beneficiis suis legitime absentes, curatum concionatorem jubentur adhibere.

Quilibet beneficiatus, cui propter necessita-

tem officii alias incumbentis dispensatio de non residendo in beneficio suo per hujus regni leges est indulta, per curatum, qui concionator sit idoneus, et sufficienti auctoritate approbatus, curae suae prospiciet, modo beneficii valor non repugnet. Caeterum qui duobus simul beneficiis perfruitur, is in illo beneficio, in quo ipse non residet, concionatorem legitimum retinebit, nisi ipsum constiterit in utroque jugiter concionari.

XLVIII. Ministri, nisi ex episcopi vel ordinarii approbatione, pro curatis non admittendi.

Nulli curato aut ministro permittetur ullibi curae animarum inservire, nisi prius per episcopum dioecesanum, vel loci ordinarium episcopali jurisdictione praeditum examinatus ac admissus fuerit, ejusque rei testimonium manu episcopi et sigillo consignatum obtinuerit; habito semper respectu tum ad curae ipsius magnitudinem, tum ad personae admittendae habilitatem. Quinetiam dicti curati et ministri, siquando ex una dioecesi in alteram transferint, nequaquam ad curam ullam exercendam admittentur, nisi episcopi ejus dioeceseos, unde advenierint, vel loci ordinarii (ut supra) literis testimonialibus de ipsorum honesta conversatione, sufficientia, et conformitate ad ecclesiasticas regni Anglicani leges muniti accesserint. Nec vero eorum cuilibet licitum erit, pluribus, uam uni ecclesiae aut capellae uno eodemque die ministrare, nisi forsan capella illa ecclesiae parochialis membrum existat, aut eidem unita, vel nisi ecclesia aut capella, cui taliter inserviet, judicio episcopi vel ordinarii (ut supra) curato alendo non suffecerit.

XLIX. Ministris ad concionandum non admissis glossae et paraphraes in publica scripturarum lectione interdictae.

Nullus cujuscunque conditionis minister, non prius per episcopum dioecesanum examinatus et approbatus, aut pro sufficiente et idoneo concionatore, ut praedictum est, licentiatus, in sua ipsius cura vel alibi locum aliquem scripturae, aut doctrinae; sacrae exponere praesumat; sed solum apte et distincte sine glossis aut additamentis legere studebit homilias publica auctoritate haecenus editas, aut de caetero edendas, in verae fidei confirmationem, et populi instructionem atque aedificationem,

L. Conciatores adventitii absque legitima missione ad concionandum non admittendi.

Minister, oeconomi, alique ecclesiae officarii neminem patientur in suis ecclesiis aut capellis concionari, nisi qui licentiis suis ad praedicandum exhibitis, justa auctoritate (ut supra) in eam partem muniti comperientur.

LI. Advenae concionatores, nisi autentico testimonio commendati, ad concionandum in ecclesiis cathedralibus non admittendi.

Decani, praefecti, et residentiarii cathedralis et collegiatae ecclesiae cujuscunque nemini extraneo in suis ecclesiis concionandi potestatem facient, nisi qui ejusdem provinciae archiepiscopi

scopi, aut episcopi dioecesani, vel alterutrius academiae approbatione suffultus venerit. Quod si quem contigerit in concione sua dogma aliquod in populum disseminare vel novum vel minus consonum verbo divino, ullive ex religionis articulis in synodo anno M.D.LXII. approbatis, aut etiam libro precum publicarum; decani aut residentiarii quam poterunt mature per literas suas, eorum manu subscriptas, qui dictam concionem audierint, episcopo dioecesano id intimabunt, quo is, quod ipsi videbitur, de eo statuat.

LII. *Concionatorum advenarum nomina in librum referenda.*

Ut episcopo (causa id postulante) constare possit, tum quae conciones in singulis ecclesiis suae dioeceseos habeantur, tum qui sine legitima auctoritate concionari praesumant; oeconomi ecclesiarum, eorumque assistentes librum quendam comparabunt, in quo unusquisque concionator, qui ad ipsorum ecclesiam aliunde accesserit, nomen suum inscribet, adjecto etiam die, in quo concionem ibidem habuerit, ac episcopi nomine, a quo concionandi potestatem acceperit.

LIII. *Concionatorum mutuis oppositionibus pulpita non patebunt.*

Si quis concionator doctrinam ullam, ab alio concionatore in eadem vel vicina aliqua ecclesia traditam, particulariter aut nominatim ex professo impugnare, et pro concione refellere attentabit; priusquam episcopum dioecesanum, de ea certiore fecerit, et ejusdem mandatum acceperit, quam eo in casu rationem sequi debeat, cum alioqui ex publicis ejusmodi oppositionibus multum scandali et perturbationis populo oriri possit; oeconomi vel pars laesa absque omni mora dicto episcopo illud significabunt, neque praefatum concionatorem patientur illum locum, quo semel abusus sit, deinceps occupare, nisi sancte receperit se ab omni ejusmodi contentionis materia in ecclesia temperaturum, donec episcopus de ea re ulterius statuerit: qui item quamprimum commode poterit in ea taliter procedet, ut parti laesae in eadem ecclesia, in qua oblatum est scandalum, publice satisfiat. Proviso semper, ut si altera pars appellationem interposuerit, eidem concionandi officium, pendente lite, sit interdictum.

LIV. *Concionatores schismatici licentiis suis mulctati.*

Si quis per archiepiscopum, aut episcopum ullum, vel alterutram academiam in praeteritum ad concionandum admissus, quovis deinceps tempore recusaverit legibus, institutis, et ritibus ecclesiasticis infra regnum Anglicanum stabilitis seipsum conformem reddere, eundem per episcopum dioecesanum, vel loci ordinarium quamprimum admoneri volumus, ut eorundem usui et debitae observationi se submittat. Quod si, tali admonitione praemissa, infra mensem se minime reformarit, ejusdem facultatem sive licentiam ad concionandum eo ipso irritam esse et pro nulla habendam decernimus.

LV. *Precationis formula a concionatoribus in concionum suarum ingressu imitanda.*

Omnes concionatores et ministri in aditu cujusque suae concionis, lectionis, et homiliae populum hortabuntur, ut secum in precibus concurrat in hunc aut similem modum, idque (quantum licet) summaria brevitate: Precamini pro Christi sancta ecclesia catholica, id est, pro universo coetu christiani populi per orbem terrarum diffusi ac disseminati, specialiter vero pro ecclesiis Angliae, Scotiae, et Hiberniae; et in his praecipue pro excellentissima regia maiestate, clementissimo domino nostro Jacobo, Dei gratia Angliae, Scotiae, Franciae, et Hiberniae rege, fidei defensore, et super omnes personas in omnibus causis, tam ecclesiasticis, quam civilibus, infra regna et dominia sua supremo gubernatore. Precamini etiam pro serenissima regina Anna, nobilissimo principe Henrico, reliquaue regia sobole illustrissima. Precamini etiam pro ministris divini verbi, et sacramentorum, tam archiepiscopis et episcopis, quam caeteris pastoribus et curatis. Precamini etiam pro honoratissimis regiae maiestatis consiliariis, ac proceribus, et magistratibus hujus regni universis; ut hi omnes et singuli in sua quisque vocatione, ad Dei gloriam, populi aedificationem, et rectam administrationem officii suis diligenter, et fideliter perfungantur, memores reddendae olim rationis, cum ad Christi tribunal sistentur judicandi. Precamini etiam pro populo et plebe hujus regni universa, ut in vera fide, et sancto timore Dei, in humili erga regem obedientia, et fraterna erga seinvicem charitate vitam suam instituant. Postremo gratias et laudes Deo reddamus pro illis omnibus, qui in fide Christi ex hac vita excesserunt; humiliter Deo supplicantes, ut per illius gratiam vitam nostram ad pium eorum exemplar dirigamus, ut ita tandem hac mortali vita defuncti, resurgamus cum illis in die Jesu Christi ad caelestem gloriam, et vitam aeternam: semper cum oratione dominica concludentes.

LVI. *Ministris mere concionatoribus precum publicarum lectio, et sacramentorum administratio bina annuatim injuncta.*

Omnis minister in beneficio curato constitutus, licet praedicationi potissimum vacet, et curatum sub se retineat, qui reliqua ecclesiae officia ipsius vice exequatur; similiter etiam quilibet concionator stipendiarius, qui praelegendi, catechizandi, aut concionandi munus in aliqua ecclesia vel capella exercet, liturgiam publice recitabit duobus ad minus cujusque anni diebus dominicis, ad horas tum matutini, tum vespertini temporis consuetas et usitatas, atque ea in ecclesia, in qua beneficiatus est, vel praelectoris, catechistae, aut concionatoris munere fungitur; toties item sacramenta baptismi (si qui erunt baptizandi) et coenae dominicae quotannis ministrabit, modo et forma omnibusque iis ritibus et ceremoniis observatis, quae in libro publicae liturgiae in ea parte praescribuntur. Qui secus fecerit, si beneficio dotatus est (ut supra) poenam suspensionis incurret; stipendiarius vero, sive is

lectoris, five catechistae, five demum concionatoris nomine censetur, per episcopum dioecesanum a munere submoveatur, donec se conformem praebuerit, ad omnia praefata officia sub modo et forma supradictis rite perficienda.

LVII. *A ministris non concionatoribus sacramenta efficaciter administrari.*

Cum multi a falsis doctoribus in errorem inducti, liberos suos nisi per ministrum concionatorem nolint baptizari, eodemque respectu ad sacram coenam, nisi per talem administratam, recusent accedere, ac si illorum sacramentorum virtus et efficacia a ministri in concionando facultate penderet; cum tamen integra tum baptismi, tum sacrae coenae doctrina, quae ad sacramentorum eorundem administrationem desideratur, in libro publicae liturgiae tam plene, et integre sit expressa, ut eidem nihil addi possit, quod solidum sit et necessarium; omnibus tali errore deceptis mandamus et praecipimus, ut protervam hanc ipforum pertinaciam de caetero deponant, ac ecclesiae institutis hac in parte obsequantur; cum quoad eorundem sacramentorum efficaciam nihil interfit, utrum a ministro non concionatore, an secus administrantur. Quod si qui deinceps hac in re deliquerint, parochiaeque suae ecclesias eo intuitu declinantes, in alienis vel sacram coenam susceperint, vel liberos, baptizari fecerint, neque mandato hoc nostro admoniti ab errore suo et illicita hac ratione destiterint; ad loci ordinarium per ministrum, oeconomicos, et inquisitores, vel assistentes parochiae suae deferantur, talibus censuris ecclesiasticis per eum castigandi, quales adeo obstinatae pervicaciae merito debentur: id est, si contumaces permanferint, primo suspensionis; si ultra mensem deinceps perseverarint, excommunicationis poena coerceantur. Pari ratione si quis rector, vicarius, vel curatus, post praesentium canonum promulgationem, quamlibet personam, quae non sit de sua ecclesia vel parochia, ad sacrae coenae communionem recipere, vel ex talium liberis aliquem baptizare praesumpserit, eosdem hac ratione in errore suo confirmans, is suspensionis poena eo ipso obstrictum se intelligat, a qua nequaquam absolvetur, priusquam sancte promiserit, se hac in parte de caetero nullatenus offensurum.

LVIII. *Ministris sacra peragentibus superpelliciorum et epomidum usus injunctus.*

Ministrorum quilibet, dum vel publicas preces recitat, vel sacramenta administrat, aliove ecclesiae ritus peragit, decente et congruo superpellicio eoque manicato induetur, quod communibus parochianorum impensis comparabitur. Si qua autem controversia super ejusdem materia vel competente decentia oriatur, ordinarii discretio eandem terminabit. Quotquot vero ex ministris gradum aliquem in academia susceperint, ii inter sacra peragenda superpelliciiis suis adjicient et caputia, singulorum gradibus convenientia, quorum tamen usum ministris minime graduatis sub poena suspensionis interdiximus. Nihilominus et huic ministrorum classi loco caputiorum liripipia permittimus ex nigro

(modo ne serico) suis superpelliciiis injicienda.

LIX. *Catechizandi diligentia ministris injuncta.*

Quilibet rector, vicarius, et curatus singulis diebus dominicis et festivis ante preces vespertinas, ad semihorae spatium vel amplius, juventutem, et plebem rudiores suae parochiae examinabit, et instituet in decalogo, symbolo apostolico, et oratione dominica; eosque diligenter audiet, instruet, et erudiet in catechismo, qui extat in libro precum publicarum: omnesque patres, et matresfamilias jubeunt liberos, ac famulos suos, qui dictum catechismum nondum tenent, tempore constituto ecclesiam adire, ut ministro diligenter et humiliter auscultent et obtemperent, donec eundem perdidicerint. Quod si quis minister in hoc officio negligens fuerit et remissus, re ad episcopum vel loci ordinarium delata, et debite intimata, primum acriter corripatur; si hic se submittens, deinceps tamen in eadem re volens deliquerit, suspensionis sententiam incurrat; si tertio offenderit, quandoquidem exigua spes restat illum hac in parte reformandi, excommunicationis censura, donec se correxerit, obstrictus usque teneatur. Simili modo si qui parentes, patres aut matresfamiliarum, vel eorum liberi, apprenticii, famulive officio suo hac in re defuerint; illi quidem non compellendo suos, ut veniant; hi vero, ne discant, recusando, per ordinarium suum, modo adulti sint, suspensione plectantur; et si per mensem sic perstiterint, excommunicentur.

LX. *Confirmationis solennitas in trienniali episcoporum visitatione celebranda.*

Cum solennis, antiqua, et laudabilis in ecclesia Dei consuetudo fuerit, ab ipsis usque apostolorum temporibus observata, ut episcopi quique parvulis baptizatis, et in catechismo christiana religionis instructis manus imponentes, super illis orarent ac benedicerent, quod vulgo confirmatio nominatur; cumque in trienniali episcoporum visitatione mos sanctissimi istius operis peragendi in ecclesia per multas aetates obtinuerit; volumus et ordinamus, ut quilibet episcopus vel ejus suffraganeus in consueta visitatione sua morem et ritum illum in propria persona diligenter observet; quod si tertio demum anno aliqua infirmitate impeditus visitationem suam personaliter obire nequeat, at saltem illud confirmationis munus illo proximo anno, prout commode poterit, nequaquam omittet.

LXI. *Catechumeni episcopo visitanti per ministrum ad confirmationem sistendi.*

Unusquisque minister curam habens animarum, quo melius instituta et ritus ad confirmationem spectantes, qui in libro publicae liturgiae praescripti habentur, debite possint conservari, diligenter providebit, ne ulli ad manuum impositionem episcopo sistantur, nisi qui fidei suae rationem norint reddere, juxta catechismum in libro praedicto contentum. Cumque episcopus huic officio celebrando tempus aliquod certum praefixerit, minister sedulam dabit operam, ut quam queat plurimos ad hoc instruat, ac inducat coram episcopo confirmandos comparare.

LXII.

LXII. Ministri sine bannis rite indictis, vel legitime dispensatis matrimonium celebrare prohibiti.

Nullus minister, sub poena suspensionis per triennium ipso facto incurrendae, matrimonium inter ullas personas celebrabit, absque facultate seu licentia ab aliquo eorum, qui in hisce constitutionibus nostris inferius designantur, indulta et concessa; nisi banna matrimonialia per tres dies dominicos separatim fuerint denunciata, idque publice in ecclesiis parochialibus aut capellis, ubi partes praedictae commorantur, ac tempore divinorum, prout in libro publicae liturgiae habetur. Neque ullus minister, sub poena simili, inter quolibet personas, quantumvis ejusmodi facultatem seu indulgentiam habentes, quocunque praetextu matrimonium solennizabit vel tempore aliquo incongruo, sed duntaxat intra horas octavam et duodecimam antemeridianas; vel in loco privato, sed in ecclesiis tantummodo vel capellis, ubi partium altera commoratur, idque similiter tempore precum publicarum; vel omnino (etiamsi trina bannorum indictio praecesserit, nec ulla proinde dispensatio requiratur) priusquam parentes aut gubernatores contrahentium, si vicesimum primum aetatis suae annum non compleverint, consensum suum vel personaliter, vel per testimonium luculentum dicto ministro significarint.

LXIII. Ministri in locis exemptis sine bannorum iusta inductione, vel dispensatione legitima matrimonium celebrare prohibiti.

Quilibet minister, qui contra, atque in constitutionibus hisce nostris cautum est, inter personas quascunque matrimonium celebrabit, sub praetextu cujuslibet immunitatis, quae certis ecclesiis ac capellis arrogatur, per loci ordinarium, in quo sic offensum erit, triennali suspensione punietur; si quis autem minister ex loco, ubi sic deliquerit, ante latam contra ipsum suspensionis sententiam, se transtulerit; tunc per episcopum dioecesanum, vel ordinarium loci, in quo residet (ab altero ordinario, cujus jurisdictioni se subduxit, ea de re sub ipsius manu et sigillo certior factum) eadem omnino censura ferietur.

LXIV. Feriae a ministris solenniter indicendae.

Rectores, vicarii, et curati omnes in sua cuiusque ecclesia singulis diebus dominicis, ad tempus in libro publicae liturgiae praestitutum, populo denunciabunt, si qui dies festivi, et vigiliae in sequentem septimanam sint institutae. Quodsi quis deinceps hac in re volens offenderit, et per ordinarium suum semel admonitus, officium illud secundo omiserit, debita juris animadversione puniatur, donec huic constitutioni adimplendae se submiserit.

LXV. Recusantes et excommunicati a ministris solenniter denunciandi.

Ordinarii locorum, infra suas respective jurisdictiones, solcite providebunt, ut tam excommunicati ex eo, quod divinis precibus infra hoc regnum Angliae publica auctoritate sta-

bilitis, interesse pertinaciter recusaverint, quam ii etiam, praecipue qui melioris notae et conditionis extiterint, legitimaque excommunicationis sententia propter insignem contumaciam, vel graviora aliqua crimina obstricti fuerint, nisi infra tres continuos menses post latam excommunicationis sententiam se emendaverint, et absolutionis gratiam fuerint consecuti, singulis ex mensibus sequentibus publice in ecclesia tum parochiali, tum etiam cathedrali dioeceseos, in qua habitant, die aliquo dominico, ac tempore divinorum pro excommunicatis per ministrum denuncientur; quo reliqui et ab eorum communione declinent, et procliviores reddantur ad breve de excommunicato capiendo procurandum, quo illos ad officium et debitam obedientiam reducant. Quinetiam registrarum cujuslibet curiae ecclesiasticae de praemissis omnibus et singulis, quolibet anno infra festa S. Michaelis, et natalis Domini, archiepiscopum hujus provinciae in scriptis facient certiorum.

LXVI. Recusantium conversio a ministris sedulo elaboranda.

Quilibet minister, cui concionandi facultas est, si quem papisticum recusantem, vel recusantes infra suam parochiam habuerit, dummodo per episcopum idoneus judicetur, sedulam illis subinde operam dabit, ut, si fieri possit, errantes in viam veritatis reducat. Quodsi is vel non concionator, vel non talis existat, tum concionatoris idonei operam subsidiariam, siquidem poterit, in eum finem procurabit. Quodsi non datur, episcopo dioecesano illud significabit, cujus erit non modo vicino alicui concionatori aut concionatoribus id laboris imponere, sed et ipsum (quantum per arduas occupationes licuerit) summo studio contendere, ut docendo, persuadendo, modisque blandis et benignis omnibus tum dictos recusantes, tum omnes infra suam dioecesin sic affectos a suis erroribus deducat.

LXVII. Aegrotantes a ministris sedulo visitandi.

In omni parochia cum aliquis ex morbo decumbens, in periculo mortis videtur constitutus, minister ea de re certior factus eundem visitabit, nisi exploratum sit, vel probabiliter suspectum, morbum esse contagiosum, ut animam ejus in hoc adverso ipsius statu saluari doctrina, et consolatione erigat, idque sub forma in libro publicae liturgiae concepta; si non sit concionator, alias prout ipsi maxime videbitur expedire. Morte vero jam ingruente, aliqua campana pulsabitur, neque minister supremo officio suo hac in parte deerit. Cum autem expiraverit, si utique expirare eum contingat, campana per breve tantummodo spatium utrinque pulsabitur: quod idem tam ante, quam post sepulturam observandum decernimus.

LXVIII. Ministri baptismum, aut sepulturam denegare vetiti.

Nullus minister aut renuet, aut detrectabit infantem ullum, qui die quovis dominico aut festivo ad ipsum in ecclesiam baptizandus adducetur, juxta ritum in libro precum publicarum editum

editum baptizare; vel defunctum aliquem, qui in ecclesiam vel coemeterium inhumandi causa deferetur, data prius ejus rei notitia competente, sub modo et forma in dicto libro praefinitis sepelire. Quodsi hunc vel illum baptizare, aut sepulturae tradere recusaverit (nisi forte defunctus denunciatus fuerit majoris excommunicationis vinculo propter grave aliquod et infigne crimen obstrictus, neque de ejus poenitentia testari quisquam potuerit) a ministerio suo per episcopum dioecesanum trimestri spatio secludetur.

LXIX. Ministri baptismum in articulo necessitatis differre vetiti.

Si quis minister de infirmitate, aut mortis periculo, infanti cuilibet infra suam parochiam nondum baptizato imminente, debite et citra fraudem commonefactus, et ad locum, ubi dictus infans existet, ejus baptizandi causa rogatus accedere, vel plane recusaverit, vel per contumaciam, aut latam negligentiam tempus ita produxerit, ut cum tempestive posset dictum locum adiisse, et infantem praefatum baptizasse, is tamen ejusdem culpa expers baptismi moriatur; dictus minister trimestri suspensioni subiacebit, neque absolutionis gratiam consequetur, antequam coram loci ordinario culpam praeteritam agnoscens, pro caetero polliceatur, se in hoc genere scienter nequaquam peccaturum. Proviso semper, ut in illis parochiis, in quibus curatus, aut substitutus extiterit, praesens constitutio non ad ipsum rectorem aut vicarium, sed ad dictum curatum vel substitutum illic praesentem extendatur.

LXX. Ministri baptizatorum, nubentium, et sepultorum registrum conservare jussi.

In omni hujus regni ecclesia parochiali et capella liber ex pergamento parochianorum sumptibus comparabitur, in quo conscribi volumus diem et annum cujusque baptismatis, matrimonii, et sepulturae, quae infra eandem parochiam contigerint, ex quo lex in eam partem primum lata est, quatenus veterum registorum copia haberi potest, praecipue vero ab initio regni serenissimae reginae nuper defunctae. Ad quem librum tutius asservandum oeconomi (communibus parochianorum impensis) cistam crassam et firmam curabunt confici, cum tribus seris et clavibus, quarum una penes ministrum, reliquae duae penes oeconomos separatim custodientur; ita ut nec ministro liceat sine oeconomis, neque oeconomis, nisi ministro adhibito, librum praedictum de cista promere. Singulis vero in posterum diebus dominicis, statim post finitas matutinas vel vespertinas preces, minister et oeconomi librum illum membranaceum de cista praedicta fument, ac minister in praesentia oeconomorum in eodem inscribet omnium personarum nomina, quotquot praecedente hebdomade infra eandem parochiam baptizatae (adjectis item parentum nominibus, et cognominibus) vel matrimonio conjunctae, vel sepultae fuerint; singulorum etiam die et anno specificatis, quo facto dictum librum in cistam, ut prius, recondent: ac minister et oeconomi singulis ejusdem

ilibri paginis, postquam inscriptionibus ejusmodi impletae fuerint nomina sua subscribent. Porro oeconomi semel omni anno, idque infra terminum unius mensis post beatae virginis Annunciationem, ad episcopum dioecesanum vel ejus cancellarium transmittent verum registrum sive scripturam eorum omnium nomina continentem, qui infra suam parochiam anno proxime elapso, et addictum Annunciationis diem terminante, vel baptizati, vel nupti, vel scripturae traditi fuerint; die ac mense, quibus singula gesta sunt, figillatim adscriptis, cum ipsius etiam ministri, ac oeconomorum subscriptionibus, ut illud in ejusdem episcopi archivis possit fideliter custodiri; quod registrum sive certificatorium absque feodo recipietur. Quodsi minister aut oeconomi in praemissorum executione remissiores fuerint, tum episcopo vel ejus cancellario licebit eosdem convenire, et contra eos tanquam nostrarum constitutionum contemptores procedere.

LXXI. Ministri concionum et coenae dominicae publicam religionem in privatas aedes invadere prohibiti.

Nullus minister in cujusquam privatis aedibus vel concionabitur, vel sacramenta administrabit, nisi tempore necessitatis, cum quis vel per imbecillitatem ecclesiam adire non valens, vel morbo gravi et periculoso conflictatus, sacrosancti fieri particeps sacramenti expetiverit; sub poena suspensionis pro delicto primo, et excommunicationis pro secundo. Proviso, illas aedes hic pro privatis cenferi, in quibus nulla existit capella consecrata, ac legibus hujus regni ecclesiasticis approbata. Proviso etiam, sub poenis supradictis, ne quis capellanus vel concionem habeat, vel sacram communionem alibi administret, quam in capellis aedium praedictarum; idque raro admodum faciat in diebus dominicis et festivis, ut domini et magistri illarum aedium cum suis familiis in ecclesiis suis parochialibus alias convenire possint, ibidemque una vice ad minus singulis annis communicare.

LXXII. Ministri publica jejunia, prophetias appellatas, et exorcismos privato ausu celebrare prohibiti.

Nullus minister aut ministri, nisi mandatum et licentiam episcopi dioecesani prius impetraverint, ipsius manu et sigillo communitam, solennia ulla jejunia sive publice, sive in privatis aedibus indicent, aut celebrabunt, vel etiam eisdem scienter intererunt (exceptis iis, quae aut jam legibus instituta sunt, aut publica auctoritate in posterum instituentur) sub poena suspensionis pro delicto primo, excommunicationis pro secundo, et depositionis pro tertio. Nec quisquam minister praesumet, absque licentia (ut dictum est) impetrata, condicere, aut celebrare ullos conventus pro concionibus, quae vulgo exercitia, aut prophetiae nonnullis nuncupantur, in oppidis mercatoriis, aut alio quovis loco, sub poenis supradictis; nec sine simili licentia tentabit sub quolibet praetextu sive possessionis, sive obsessionis, per jejunium et preces daemonia seu spiritus malos ejicere, atque expellere, sub

sub poena imposturae imputandae et depositionis a ministerio sacro.

LXXIII. *Ministri conventicula privata conciliare prohibiti.*

Quoniam conventicula et clandestina presbyterorum et ministrorum conciliabula ecclesiae, in qua vixerint, incolumitati perniciose merito semper sunt existimata; statuimus et ordinamus, ut nulli deinceps presbyteri, five verbi divini ministri, vel alii quicumque in privatis ullis aedibus, vel alio quovis loco seorsim conveniant, consilium capturi de quavis re, aut ratione per ipsos vel ipsorum suasu ac consilio per alios ineunda, quae ad doctrinae in ecclesia Anglicana stabilitae, vel libri publicae liturgiae praejudicium, aut derogationem ullatenus spectare possit, sub poena excommunicationis ipso facto subeundae.

LXXIV. *Ministris in vestitu gravitas praecepta.*

Verae, antiquae, ac florentes Christi ecclesiae cum semper inprimis studerent, ut ipsorum praelati et clerici tam in externo honore, quam interna reverentia propter ministerii sui dignitatem haberentur, consultum putarunt ut iidem, congrui et decentis alicujus habitus certa et praescripta forma utentes, in omnibus locis, et conventibus tam intra, quam extra ecclesiam a populo discerni possent, ac internosci, ut ea ratione honorem, et existimationem specialibus omnipotentis Dei nunciis et ministris debitam consequerentur. Nos ergo venerandum illorum judicium, veteremque ecclesiae Anglicanae consuetudinem secuti, omnino nobis pollicentes fore, ut a factiosis quibusdam affectata in vestitu novitas progressu temporis evanescat; statuimus et ordinamus, ut omnes archiepiscopi et episcopi consuetum ordinum suorum habitum non intermittant. Similiterque ut omnes decani, collegiorum praefecti, archidiaconi, et praebendarii cathedralis et collegiatae cujusque ecclesiae (modo in sacris ordinibus constituti) doctores in theologia, jure civili, et medicina, baccarii in theologia, magistri artium, et baccarii in jure civili, siquidem ecclesiasticum aliquod beneficium obtinent, togis cum collaribus erectis manicisque ad manum contractioribus, vel laxioribus, prout in academiis usitatum est, una cum capitiis, vel liripipiis ex serico, et pileis quadratis de more utantur: et ut alii omnes ministri ad idem munus admissi, vel admittendi, praedicto vestitus genere (exceptis tantum liripipiis) consuetim induantur. Pari ratione ulterius decernimus, ut ecclesiastici omnes supe-

rius nominati in itinere usitatus gerant pallia cum manicis indutis, quae vulgo presbyterorum pallia appellantur, sine fimbriis, limbis, fibulis oblongis, aut scissuris. Nullus item, in quocunque ordine ecclesiastico positus, pileolo ullo lineo acupicto utetur, sed simplice tantum ex nigro serico, tramo serico, aut holoserico. In qua vestitus forma, particulatim a nobis hic descripta, non id agimus, ut ullam vestibus ipsis sanctimoniam aut praecipuam dignitatem tribuamus, sed ut gravitas, decorum, atque ordo (uti diximus) per omnia conserventur. Caeterum in privatis ipsorum domiciliis, ac musaeis decentis cujuslibet et scholastici vestitus usum, modo ne scissuris aut puncturis variegati, dictis personis ecclesiasticis permittimus; proviso, uti ne in publicum nisi * promissis vestibus induti prodeant, nec tibialia gerant colorata. Tenuioribus vero five beneficiatis five curatis, qui talarium togarum sumptibus non sufficiunt, liberum erit togis uti curtioribus, ad formam praedictam comparatis.

LXXV. *Vitae sobrietas ministris praecepta.*

Ministri oenopolia, aut cauponas, nisi propter congruas ipsorum necessitates, non frequentabunt, nec in iis cibum capient, aut bibent. Nec vero sordidae alicui aut illiberali operae assuescent, nec potationibus, et crapulae se dedit, tempusve interdiu, vel noctu otiose transigent in alea, chartis pictis, tesseriis, aliisque ludis illicitis exercitati; sed horis omnibus opportunis vel scripturis legendis, aut audiendis incumbant, vel alii cuiuspiam studio aut exercitio laudabili vacabunt, ea semper facientes, quae ad probitatem et virtutem spectant, seduloque operam dantes, ut ecclesiam Dei promoveant, memores nimirum, debere se reliquis omnibus vitae innocentia praelucere, populoque universo ad vitam recte, et pie instituendam, exemplo esse; sub poena sanctionum ecclesiasticarum, quas pro delicti qualitate severius illis infligendas praecipimus.

LXXVI. *Ministris a vocatione sua resiliere interdictum.*

Nullus in diaconi aut presbyteri ordinem semel admissus, quovis deinceps tempore ab eodem volens recedet, nec in vitae suae instituto pro laico se geret, sub poena excommunicationis; eorumque omnium nomina, si qui vocationem suam taliter abjicient, per oeconomos parochiarum, in quibus habitant, ad episcopum dioecesanum, vel loci ordinarium episcopali jurisdictione praeditum deferentur.

De paedagogis five ludimagistris.

LXXVII. *Publice vel privatim injussu ordinarii docere prohibitum.*

Nemo five in schola aliqua publica, five in privatis aedibus pueros docebit aut erudiet, nisi qui ab episcopo dioecesano vel loci ordinario li-

centiam ejusdem manu et sigillo roboratam obtinuerit; quique tum propter eruditionem, et dexteram in docendo facultatem, tum etiam propter morum gravitatem, et integritatem, ac verum sinceram religionis intellectum aptus et idoneus reperietur; et denique qui primo et ter-

* Cassocks.

tio articulis supra memoratis integris, ac secundi duobus prioribus membris subscripserit.

LXXVIII. *Curati ad docendum habiles ab ordinario aliis praeferendi.*

In omni ecclesia parochiali, vel capella, in qua curatus extiterit, qui in magisterii aut baccalareatus gradu constitutus, vel alias habilis ad docendum fit, et ad augenda victus sui subsidia, puerosque in principiis rectae fidei instituendos, operam munusque illud docendi lubens velit suscipere; statuimus et ordinamus, ut nulla facultas sive licentia ad pueros illius parochiae, in qua talis curatus existet, erudiendos cuivis nisi dicto curato per loci ordinarium concedatur. Proviso semper, quod praesens constitutio ad parochiam aliquam vel capellam, in oppidis ruralibus sitam, in qua schola publica fundata fuerit, minime pertinebit; quo casu consentaneum ducimus, licentiam ad grammaticam ibidem docendam nemini concedi, praeterquam publicae illius scholae magistro.

LXXIX. *Ludimagistrorum officia.*

Ludimagistri omnes pueros suos catechismum vel ampliorem, vel breviorum publica auctori-

De ecclesiis, et rebus ecclesiasticis.

LXXX. *Libri sacri in ecclesiis parandi.*

Ecclesiarum et capellarum omnium oeconomi et inquisitores librum publicarum precum, nuper in paucis explanatum ex auctoritate regia, juxta leges et majestatis suae hac in parte praerogativam, sumptibus parochianorum comparabunt, idque, quantum commodum poterunt, mature et celeriter, ita ut terminum duorum mensium ad summum post constitutiones hasce promulgatas nequaquam excedant. Et si quae ecclesiae, vel Bibliis amplissimi voluminis, vel homiliarum libris publica auctoritate approbatis adhuc carebunt, praefati oeconomi similiter efficient, ut dicti libri parochianorum impensis infra tempus idoneum coemantur.

LXXXI. *Baptisteria in ecclesiis paranda.*

Prout cautum est prisca quadam constitutione, hodie in quibusdam partibus neglectius habita, statuimus et ordinamus, ut in omni ecclesia et capella, ubi baptismus administrari consuevit, baptisterium ex lapide in loco antiquitus usitato statuatur; in quo duntaxat ministris licebit infantes publice baptizare.

LXXXII. *Mensae in sacrae coenae usum in ecclesiis parandae.*

Cum nobis minime dubium existat, quin omnibus hujus regni ecclesiis prospectum sit de mensis congruis et decentibus ad coenae dominicae celebrationem; statuimus et ordinamus, ut eadem mensae convenienter et decore conserventur, et subinde reficiantur, ac tempore divini cultus operiantur tapete ex serico, sive ex alia materia, quae per loci ordinarium, sicubi de ea quaestio oriatur, congrua et decora judicabitur; ipso autem administrationis tempore

tate haftenus editum Latine, aut Anglice pro captu puerorum edocebunt; ac quoties infra parochiam, in qua docent, concionem aliquam sacro quolibet et festivo die haberi contigerit, discipulos suos adducent ad ecclesiam, in qua dicta concio fiet, curabuntque, ut ibidem quiete et modeste se contineant, eosque inde reverbos tempore aliquo congruo sigillatim ad examen revocabunt, quid ex dicta concione didicerint. Aliis autem diebus, talibus sententiis ex sacra scriptura haustis eosdem instruent ac instituent, quales ad eorum mentes pietate imbuendas maxime utiles, et idoneae videbuntur. Dicti etiam ludimagistri grammaticam auctoritate Henrici octavi editam, et deinceps Edwardi sexti, et reginae Elizabethae felicissimae memoriae temporibus continuatam, et non aliam praelegent aut docebunt. Quodsi quis paedagogus post factam (ut supra) subscriptionem, et licentiam sive facultatem obtentam, in quolibet praemissorum deliquerit, et contra aliquid, cui pridem subscripserat, dicere, scribere, aut docere compertus fuerit, si interposita ordinarii admonitione se non correxerit, a docendi munere de caetero submoveatur.

panno lineo mundo, prout tali mensae convenit, vestiantur, suoque certo loco consistent, nisi cum sacramentum erit administrandum, quo quidem tempore in ecclesia, vel ejusdem cancelli ita constituentur, ut tum minister inter precandum et administrandum commodius possit a communicantibus exaudiri, tum communicantes etiam convenientius et majore numero a ministro sacramentum percipere. Insuper statutum et decretum sit, ut decalogus pingatur in orientali cujusque ecclesiae et capellae parte, unde a populo commodissime cerni et legi possit, ac aliae selectae scripturarum sententiae in earundem parietibus passim in locis opportunis describantur. Similiter etiam ut sedes congrua ministro construatur, in qua divinas preces recitet; atque haec omnia parochianorum sumptibus perficiantur.

LXXXIII. *Pulpita idonea in ecclesiis paranda.*

Ecclesiarum oeconomi, et inquisitores in suis respective ecclesiis pulpitu conveniens et decorum communibus parochianorum impensis fieri providebunt, quod in ecclesiae loco idoneo pro arbitrato ordinarii, si quid ambigi de eo contigerit, constituatur, in divini verbi praedicationem decenter ibidem asservandum.

LXXXIV. *Cistae ad eleemosynarum custodiam in ecclesiis comparandae.*

Ecclesiarum oeconomi, ac inquisitores infra tres menses post harum constitutionum promulgationem, sumptibus parochianorum comparabunt, nisi forsan jam comparatam habeant, cistam validam et firmam cum fissura in suprema parte ejusdem, et tribus clavibus, quarum una a rectore, vicario, vel curato, reliquae duae ab oeconomis pro tempore existentibus separatim

ratim custodientur. Quae cista disponetur in locum maxime opportunum, ad parochianorum eleemosynas pro pauperibus ejusdem ecclesiae excipiendas. Quinetiam rectores, vicarii, et curati non cessabunt parochianos suos invitare, hortari, et jugiter incitare, tum vero praecipue cum testamenta sua conficiunt, ut huic cistae pro ipsorum facultatibus largiantur; eisdem insinuando, quod cum hactenus multas opes, praeter Dei mandatum, in supersticiosos usus studiose impenderint, multo propensiores esse debeant, hoc praesertim tempore, ad egenos et pauperes sublevandos; cum non ignorent, misericordiam in pauperes sacrificium Deo gratum et acceptum esse, et quicquid in eorum subsidium et levamen datur, Christo dari, Christumque ejusmodi dona in eam partem accipere, ut illa sit benigne remuneraturus. Quas eleemosynas et pias populi largitiones per singulos annos, vel tres menses, aut saepius (pro causarum vel temporum conditione) custodes clavium, praesente maxima parochianorum parte, vel sex illorum praecipuis, de cista proferent, ut inter vicinos suos maxime indigentes vere et fideliter possint distribui.

LXXXV. Ecclesiae sartae tectae conservandae.

Ecclesiarum oeconomi, et inquisitores diligenter prospicient, ut ecclesiae suae probe et congrue reparentur, et sic perpetuo constodiantur, ut fenestrae bene vitratae; ac pavimenta plana et aequabilia existant, adeoque omnia honeste et decore in eisdem ferventur, absque pulvere, aut ullo coeni aut sordium genere, quod ingratum, aut indecorum esse possit, pro ut domo Dei inprimis convenit, et in homilia quadam hujus argumenti praecipitur. Pari diligentia providebunt, ut coemeteria debite reparata, munita, et septa custodiantur sive muris, sive vacerris, sive palis (pro loci consuetudine) eorum impensis, ad quos jure pertinebit. Inprimis vero curabunt, ut in omnibus populi ad rem divinam conventibus pax et quies religiose conserventur, omnesque quotquot excommunicationis vinculo publice et notorie sunt innodati, ab ecclesiae liminibus arceantur.

LXXXVI. Ecclesiae de tertio in tertium annum perlustrandae, et earum defectus regiis commissariis intimandi.

Omnis decanus, decanus et capitulum, archi-

De ecclesiarum oeconomis, et inquisitoribus, sive assistentibus.

LXXXIX. Oeconomorum electio, et rerum ecclesiasticarum procuratio.

Omnes ecclesiarum oeconomi, sive inquisitores parochianorum et ministri sui unito consensu, siquidem id fieri possit, eligentur. Qui si in tali electione dissenserint, tum ministro licebit unum eligere, parochianis alterum, nec quicumque pro oeconomo habendus erit, nisi quem ejusmodi consensus sive conjunctus, sive divisus elegerit; neque iidem etiam in officio suo ultra annum, nisi de integro ad modum praedictum electi permanebunt. Omnesque oeco-

diaconus, aut alius quilibet, cui visitationes ecclesiasticas obeundi jus et potestas ex compositione, lege, aut praescriptione competit, unoquoque triennio ecclesias omnes suae jurisdictioni subjectas semel perlustrabit, vel saltem perlustrari faciet; et singulis annis infra eundem terminum regiis commissariis pro causis ecclesiasticis subinde denunciabit, quos defectus reparatione indigentes in dictis ecclesiis, aut earum aliqua compererit, apposisis eorum nominibus et cognominibus, qui in singulis sint culpabiles. Qua informatione accepta, praedictos commissarios rogamus, ut ejusmodi personas coram se citatas, talis cujusque ordinarii, qui informationes praefatas fecerit, justis et legitimis decretis parere compellant.

LXXXVII. Terrarum et peculiorum ad ecclesias spectantium inventaria conficienda, et in episcoporum archivis asservanda.

Archiepiscopus, et episcopi omnes in sua quisque dioecesi (quantum in ipsis erit) efficient, ut justum inventarium, sive terrarium omnium glebarum, quas vocant, fundorum, pratorum, hortorum, pomariorum, aedium, peculiorum, utensilium, tenementorum; et portionum, decimarum, extra suas parochias positarum, quae ad rectoriam, vicariam, vel ruralem quamlibet praebendam noscuntur spectare, per singulas parochias ex inspectione proborum hominum per episcopum designandorum, quorum minister unus erit, in scriptis redigatur, ac in suis archivis ad perpetuam rei memoriam asservetur.

LXXXVIII. Ecclesiarum religio profanis usibus non polluenta.

Ecclesiarum oeconomi, et inquisitores, vel assistentes nequaquam patientur ludos scenicos, convivias, epulas, coenas solennes, invitationes publicas, symposia, curias seculares, visus franci plegii, juratas laicas, lustrationes militum, vel proanum ullum usum sive ritum in ecclesiis, capellis, aut coemeteriis suis fieri, aut celebrari; neque etiam campanas superstitione pulsari in illis festivitatibus, aut earum vigiliis, quae in libro publicae liturgiae sunt antiquatae, vel alio quovis tempore, nisi ex causa idonea tam per ipsos, quam per ministrum approbata.

nomi ad dicti anni terminum vel saltem infra ejusdem termini mensem unum pecuniae tum acceptae tum expensae, sive in reparationes, sive in alios quoscunque ecclesiae usus veram et particularem rationem ministro et parochianis reddent; quinetiam officio suo abeuntes, parochianis cedent quicquid pecuniae aut alterius rei cujusunque ad ecclesiam sive parochiam jure pertinentis, in ipsorum manibus residuum supererit, ut per eos in succedentium oeconomorum custodiam per billam indentatam transferatur.

XC. *Inquisitorum sive assistentium electio, eorumque cum oeconomis officii communitas.*

Ecclesiarum omnium oeconomi, sive inquisitores, adhibitis in singulis parochiis duobus, tribus, aut etiam pluribus discretis hominibus, qui per ministrum, e oeconomos, siquidem inter eos convenire poterit, alias per loci ordinarium pro assistentibus eligentur, sedulo invigilabunt, ut parochiani omnes ecclesias suas diebus dominicis et festivis debite frequentent, atque in iisdem per integrum tempus rei sacrae perdurent;

De ostiariis sive clericis parochialibus.

XCI. *Clericos parochiales eligendi jus ministro cedit.*

Nullus in parochialis clerici, quem vocant, locum vacantem infra civitatem Londinensem, vel alibi infra provinciam Cantuariensem eligetur, nisi per rectorem aut vicarium, vel defectu rectoris aut vicarii, per ejusdem ecclesiae ministrum pro tempore existentem; quam electionem dictus rector, vicarius, aut minister subsequente die dominico tempore divinorum paro-

quo item tempore neminem in ecclesia ejusdemve porticu aut coemeterio deambulare, vel otari, aut garrere patientur; si quos autem compererint remissius aut negligentius ecclesiam adire, nulla magna aut ardua absentiae suae causa constante, eosdem serio admonebunt, et, nisi debite admoniti se emendaverint, ad loci ordinarium deferent. Horum autem oeconomorum, et inquisitorum, vel assistentium annuam electionem in paschali hebdomade celebrandam decernimus.

chianis suis denunciabit. Omnis autem ejusmodi clericus parochialis annos ad minus viginti natus erit, et de vita probabili, ac idonea legendi, scribendi, et cantandi, quoad ejus fieri potest, scientia dicto eligenti cognitus. Idemque clerici taliter electi stipendia sua antiquitus consueta, absque dolo aut diminutione, vel ab oeconomis, ad tempora haec usitata, vel ex propria collectione percipient, juxta parochiae cujusque ritum, ac consuetudinem maxime inveteratam.

De curiis ecclesiasticis ad archiepiscopi jurisdictionem spectantibus.

XCII. *Testamentorum probatio, juxta bonorum notabilium summa constante, praerogativarum curiae duntaxat competit.*

Cum multi haecenus per apparitores curiarum tum inferiorum, tum praerogativae archiepiscopalis graviter distracti et varie vocati et compulsi fuerint super probatione testamentorum, et administrationis bonorum in causa intestati petitione, variisque inde laboribus, molestiis, et expensis superflue gravati fuerint, et fatigati; statuimus et ordinamus, ut omnis cancellarius, commissarius, officialis, aut alius quicumque jurisdictionem ecclesiasticam exercens, singulos ad curiam suam super testamenti probatione vel administrationis bonorum negotio citatos, aut etiam ultro advenientes primo et ante omnia juramento oneret, num sciant, vel speciali aliqua causa permoti firmiter credant, defunctum, de cujus testamento, vel bonis agitur, bona aliqua, aut debita idonea in alia quavis dioecesi, vel dioecesibus, aut in peculiari alia jurisdictione infra eandem provinciam sita, quam in qua obiit, usque ad valorem quinque librarum, tempore vitae et mortis suae habuisse. Et si talis citatus, vel sponte accedens super juramento suo affirmaverit, se scire vel (ut praefertur) firmiter credere, quod ejusmodi defunctus bona, vel idonea debita in alia aliqua dioecesi, vel dioecesibus, vel in peculiari aliqua jurisdictione infra eandem provinciam, ad valorem praedictum habuerit, eademque peculiariter expresse, ac declaraverit; tum statim eum dimittet, nec vel testamentum talis defuncti probare, vel administrationem bonorum sic ab intestato decedentis concedere, neque alias expensas, quam pro citatione debitas, vel etiam pro aliis processibus contra eundem super ipsius ulteriore forsitan contumacia adhibitis, ab eo ex-

igere praesumet, sed hoc negotium ad praerogativam archiepiscopalem ejusdem provinciae spectare aperte, diserteque profitebitur; quin etiam partem ipsam monebit et hortabitur, ut apud judicem dictae praerogativae testamentum illud probet, vel administrationem talium bonorum petat, et coram ipso ejusmodi probationem sive administrationem, sigillo curiae praerogativarum munitam, infra quadraginta dies continuos exhibeat. Quod si quis cancellarius, commissarius, officialis vel alius ecclesiasticam jurisdictionem exercens, vel eorum registrarius aliquis contrafecerit; ab executione officii sui ipso facto suspensum se noverit, nullatenus absolvendum, donec omnes pecuniarum summas, contra tenorem praemissorum per dictam partem expensas, eidem restituerit; talisque sive testamenti probatio, sive administrationis concessio quaecunque ipso jure pro nulla habeatur. Registrarius etiam cujusque judicis inferioris apparitorem curiae praerogativae, semel duntaxat singulis mensibus ad se venientem, sine omni difficultate certiore reddet; quos executores vel administrationem petentes judex suus infra mensem proxime tum praecedentem, ob incompetentiam suae in hac parte jurisdictionis, ad curiam praerogativae dimiserit; idque sub poena menstruae suspensionis ab exercitio officii pro singulis ejusmodi delictis. Proviso semper, quod praesens constitutio, vel aliquid in eadem contentum, compositioni ulli, quae inter archiepiscopum, et episcopum quemvis, vel alium ordinarium intercesserit, nequaquam praejudicabit; nec etiam judici cuivis inferiori, qui ullam testamenti probationem, vel bonorum administrationem alicui tam ex dicta inferiore curia, quam ex curia praerogativae sponte et consulto eandem petenti concesserit. Proviso itidem

dem, quodsi quem in itinere mori contingat, bona illa, quae tunc temporis penes se habuerit, testamentum ipsiusvel bonorum administrationem curiae praerogativarum nequaquam subjicient.

XCIII. *Testamentorum probatio, iuxta bonorum notabilium summa non comparente, ordinariis vendicatur.*

Statuimus insuper et ordinamus, ne quis iudex praerogativae archiepiscopalis ad praemissorum aliquod quemlibet ex officio citet, aut citari faciat, nisi eidem prius constiterit, defunctum tempore vitae et mortis suae bona vel catalla in aliqua alia dioecesi vel dioecesibus, vel etiam peculiari jurisdictione, infra eandem provinciam sita, quam in qua fato cessit, ad summam quinque librarum ad minus habuisse. Nam qui minorem aliquam summam hoc casu habet, eundem bona notabilia non habere, per praesentes decernimus et declaramus. Proviso, quod haec clausula, in hac, et in praecedente constitutione expressa, ad illas dioeceses nullatenus extendatur, in quibus ex compositione vel consuetudine bona notabilia maiore summa definiuntur. Quodsi quis iudex praerogativae, aut ejus deputatus, vel eorundem registrarius, aut apparitor aliquem secus, quam ut praemissum est, citaverit, aut citari vel moneri ad curiam suam fecerit, eundem expensas parti sic citatae vel monitae refundere volumus, et acta ejusdem ipso jure vacua, et pro nullis habenda pronunciamus. Quas expensas si vel iudex, vel registrarius, vel apparitor taliter rependere detrectaverit, ab executione officii sui, donec illud praestiterit, suspendetur.

XCIV. *In curias de arcubus, et audientiae extra proprium territorium (nisi consentiente episcopo dioecesano) nemo citandus.*

Neque decanus de arcubus, neque officialis consistorii archiepiscopalis, neque iudex audientiae posthac nomine vel suo, vel archiepiscopi Cantuariensis, siue ex officio, siue ad instantiam partis originaliter citabit, monebit, aut quomodo compellet, vel citari, moneri, aut compelli faciet aliquem, qui particularem dicti archiepiscopi dioecesis, vel peculiare ejusdem jurisdictiones non inhabitat, ad comparandum coram ipsis vel ipsorum aliquo, super causa vel re quacunque ad cognitionem ecclesiasticam pertinente, absque dioecesani sui licentia prius impetrata, extra casus speciales in statuto, anno **XXIII.** Henr. VIII. cap. 9. diserte exemptos, et reservatos. Quodsi quis dictorum iudicum contrafecerit, is pro singulis ejusmodi delictis ab officii sui exercitio per tres menses suspendetur.

XCV. *Duplices querelae, nisi iusti gravaminis facta fide, in curiis archiepiscopi non concedendae.*

Tamet si pristinae constitutiones ecclesiae Anglicanae duorum mensium tempus episcopis indulserint, infra quod de sufficientia et qualitate cujusque ministri, qui ipsi praesentatus esset, in beneficium aliquod instituendus, inquirere et plenius informari posset; nos tamen quibusdam incommodis occurrere volentes, spatium illud

bimestre ad terminum viginti et octo dierum per praesentes contrahimus, et abbreviamus. Cujus contractionis intuitu statuimus et ordinamus, ut nulla duplex querela ex curia ulla archiepiscopi ad instantiam ministri cujusque concedatur, nisi prius jurejurando fidem fecerit, quod praefatus terminus viginti et octo dierum ad minus effluxerit, ex quo dictam sui ipsius praesentationem episcopo exhibuerit, et episcopus se taliter praesentatum instituere recusaverit, vel nisi cautionem fidejussoriam sufficientem interposuerit, se assertionem illam veram esse legitime probaturum sub poena suspensionis semestris ab officii sui exercitio singulis talem actionem siue duplicem querelam concedentibus, per archiepiscopum toties quoties denuncianda, ac etiam nullitatis ad omnem juris effectum cujusque duplicis querelae sic indebitae procuratae. Proviso semper, quod infra praedictum tempus viginti et octo dierum episcopus alium nullatenus instituet, in praedictum partis ita praesentatae, idque sub poena nullitatis.

XCVI. *Inhibitiones in causis instantiae absque advocati subscriptione non concedendae.*

Ut episcoporum jurisdictiones illaefae (quantum fieri potest) conserventur, ac ut hujus regni subditis melius consulatur, ne frivolis aut injustis litibus de caetero fatigentur, ordinatum et provisum est, quod nulla deinceps inhibitio, ex quacunque curia archiepiscopi Cantuariensis ad instantiam partis emanabit, siue subscriptione advocati ibidem exercentis, id quod gratis et absque feodo aut salario ab eodem fiet; nisi forte is, qui causam consecutus fuerit, pro ipsius in eadem consilio aliquod ei ultro erogaverit. Pari ratione decretum sit, ne ad instantiam alicujus partis ulla emanet inhibitio ab episcopo, aut ejus cancellario contra archidiaconum, vel quemvis alium ecclesiastica jurisdictione utentem, absque advocati (ut praefertur) subscriptione. Quodsi forsitan in curia alicujus episcopi nullus extiterit advocatus, tunc subscriptio procuratoris ibidem exercentis sufficiet.

XCVII. *Inhibitiones in causis correctionis, nisi gravamine judici prius cognito, non concedendae.*

Statutum insuper et decretum sit, ut nulli deinceps inhibitio concedatur, per occasionem alicujus decreti interlocutorii, aut in quacunque causa correctionis, nisi sub forma praecedente; et ulterius, quod ante emanationem istiusmodi inhibitionis ipsa appellatio, aut verum ejusdem exemplar, juramento super ejusdem veritate praestito, judici aut ejus legitimo deputato exhibeatur, unde et de qualitate delicti, et causa gravaminis judici praedicto ante inhibitionem emissam summatim possit constare. Porro quilibet appellans aut ejus legitimus procurator, ante inhibitionem in causa correctionis obtentam, judici aut suo deputato ostendet verum transcriptum siue copiam actorum, unde se gravatum queritur, et a quibus appellat; aut juramentum suscipiet, se diligentiam loco et tempore opportunis praestitisse pro eisdem comparandis, nec potuisse tamen a registrario in partibus aut ejus deputatis, oblato salario, eadem adipisci.

Si quis vero iudex, aut registrarius inhibitionem quamlibet (sic ut praefertur) contra formam praedictam sigillari procuraverit, aut permiserit, ab executione officii sui per tres menses suspendatur; si vero procurator aliquis, aut quivis alius de ipsius mandato contra tenorem praemissorum in aliquo deliquerit inhibitiones sive conficiendo, sive emittendo, praemissis non observatis, ab exercitio muneris sui praedicti per annum integrum, sine spe veniae aut restitutionis, amoveatur.

XCVIII. Inhibitiones schismaticis, nisi subscriptis, non concedendae.

Quoniam legis auxilium frustra implorat, qui in legem committit; cautum sit, et provisum, ut sicubi iudex ecclesiasticus adversus refractarios, factiosos, ac ceremoniarum contemptores, ob non servatos ecclesiae Anglicanae ritus, vel ob precum publicarum contemptum, judicialiter processerit; nullus iudex "ad quem" eorum appellationes admittat, nisi pars appellans, appellationis protocollo dicto iudici per ipsum exhibito, in propria persona receperit, se omnes ecclesiae Anglicanae ritus ac ceremonias, et formam publicae liturgiae praescriptam bona fide observaturum, ac etiam nisi tribus articulis superius a nobis specificatis subscripserit.

XCIX. Intra gradus prohibitos matrimonium contractum ipso jure nullum.

Nemo matrimonium contrahat intra gradus divino jure prohibitos, ac expressos in tabula quadam ex auctoritate publica anno Domini M.D.LXIII. edita; omniaque matrimonia taliter contracta, incesta et illegitima judicabuntur, et et proinde, ut ab initio vacua, sive nulla, dissolvantur, partesque ita conjunctae per juris processum separabuntur. Tabulam autem praedictam in singulis ecclesiis parochianorum sumptibus publice proponi, atque affigi volumus.

C. Minores 21. annis absque parentum consensu matrimonium contrahere prohibiti.

Nullis liberis, qui vicesimum primum aetatis suae annum nondum compleverint, absque consensu parentum, aut, defunctis parentibus, tutorum sive gubernatorum suorum, conjugia, sive sponsalia licebit contrahere.

CI. Facultates pro bannis matrimonialibus omittendis, per quos, et quibus sint concedendae.

Nulla in posterum facultas sive indulgentia, pro matrimonio absque trina bannorum denunciatione juxta librum publicae liturgiae inter quoslibet celebrando, per quamvis personam jurisdictionem ecclesiasticam exercentem, vel privilegia ulla ecclesiae suae nomine sibi vendicantem, nisi tantum per eos, qui episcopalem auctoritatem obtinent, vel per commissarium ad facultates, vel sede plena, per archiepiscopi, et episcoporum vicarios generales, aut sede vacante, per custodes spiritualitatis, vel ordinarios episcopalem jurisdictionem de jure exercentes, et non per alios concedetur; idque duntaxat illustris, ac clarae conditionis hominibus, suae respective jurisdictioni subditis, interposita etiam idonea

et sufficienti cautione.

CII. In facultatibus pro bannorum omissione concedendis cautio interponenda, et sub quibus conditionibus.

Dicta cautio conditiones hasce complectetur. Primo, quod tempore ejusdem dispensationis concedendae nullum existit impedimentum ratione praecontractus, consanguinitatis, affinitatis, vel alterius causae cujuscunque de jure prohibita, quod dicto matrimonio occurrere, aut obstare possit. Secundo, quod nulla controversia, lis, seu querela mota sit vel pendeat in aliqua curia coram ullo iudice ecclesiastico super aliquo contractu vel matrimonio alterutrius dictarum partium cum alia quavis persona. Tertio, quod parentum, modo sint in vivis, vel alias tutorum sive gubernatorum suorum expressum consensum hac in parte obtinuerunt. Postremo, quod dictum matrimonium in ecclesia parochiali, vel capella, ubi contrahentium alter commoratur, et non alias, idque publice in facie ecclesiae inter horas octavam et duodecimam curabunt solemnizari.

CIII. Eaedem conditiones ob majorem cautelam jurejurando suffultae.

Ut omnis deinceps fraus et dolus in obtinendis ejusmodi facultatibus evitetur; statuimus insuper et ordinamus, quod ante obtentam facultatem pro matrimonio absque bannis celebrando, iudici constabit de expresso consensu parentum, vel parentis, eorum altero defuncto, aut tutorum vel tutoris, per juramentum duorum fide dignorum testium, quorum unus vel iudici ipsi, vel alii cuiuspiam bonae existimationis tum praesenti, ac eidem etiam iudici cognito, pro tali innotescet. Et ulterius, ut alter contrahentium juramentum subeat, se credere, nullum legitimum impedimentum ratione praecontractus, consanguinitatis, affinitatis, vel alterius causae cujuscunque de jure prohibita obstare, nullamque litem aut controversiam in foro aliquo ecclesiastico, motam esse, quominus dictum matrimonium, juxta tenorem ejusdem facultatis, ad effectum procedat.

CIV. Parentum consensus viduis contrahentibus remissus.

Quod si uterque contrahentium in viduitate constitutus pro bannis omittendis dispensationem petierit, tunc clausulam praedictam, per quam parentum consensus requiritur, licebit praetermitti, ita tamen ut parochiae, in quibus utraque pars commoratur, in dispensatione exprimantur, atque illa parochia nominatim designetur, in qua ejusmodi matrimonium sit postea celebrandum. Siquis vero commissarius ad facultates, vic. generalis, aut dictorum ordinariorum aliquis in praemissis, aut quolibet praemissorum deliquerit, is pro singulis ejusmodi delictis ab executione officii sui per spatium semestris submoveatur, et licentia sive indulgentia hujusmodi viribus vacua, et pro ulla ad omnem juris effectum habebitur, ac si omnino non fuisset concessa; partesque ejusdem virtute in matrimonio conjunctae poenis illis subjacebunt, quae in nuptias

nuptias clandestinas sunt constitutae.

CV. *Pro conjugio dirimendo nuda partium confessio non audienda.*

Quoniam matrimoniales causae inter graves semper habitae fuerint, et propterea majorem cautelam desiderant; siquando in judiciis veniant disceptandae, praesertim cum matrimonio in ecclesia debite solemnizatum, quovis nomine separari, vel nullum pronunciari postulatur; stricte mandamus et praecipimus, ut in omnibus divortiorum et nullitatis matrimonii processibus circumspicte et deliberate procedatur, ac quantum fieri poterit, rei veritas testium depositionibus aliisque probationibus legitimis eruatur, nec soli extrajudiciali, aut judiciali et juratae partium confessioni fides habeatur.

CVI. *Sententiae divortii et separationis non nisi pro tribunali ferendae.*

Nullae in posterum sententiae vel separationis a thoro et mensa, vel nullitatis matrimonii praetensi ferantur, nisi publice, ac pro tribunali, et de scientia ac consensu vel archiepiscopi infra provinciam suam, vel episcopi infra propriam dioecesim, decani de arcubus, judicis audientiae Cantuariensis, aut vicariorum generalium, aliorumve officialium principalium, vel sede va-

De curiis ecclesiasticis ad episcopos, et archidiaconos spectantibus.

CIX. *Peccata et scandala notoria in curiis ecclesiasticis denuncianda.*

Si qui per manifestum adulterium, stuprum, incestum, ebrietatem, jurandi consuetudinem, lenocinium, foederationem, vel aliam quamcunque vitae turpitudinem aut nequitiam fratres suos offenderint; ecclesiarum oeconomi, et inquisitores, sive assistentes in proximis praesentationibus suis ad ordinarios omnium et singulorum ejusmodi delinquentium nomina fideliter deferant, ut legum severitate pro meritis possint castigari. Tales autem notorii delinquentes ad sacram coenam, donec mores in melius commutarent, nequaquam admittentur.

CX. *Schismatici in curiis detegendi.*

Si oeconomi ecclesiarum, et inquisitores, sive assistentes de aliquo infra suam parochiam vel alibi resciverint, qui vel verbo Dei legendo, aut sincere praedicando, vel constitutionum praesentium executioni obstare conabitur, vel etiam usurpatae ulli et extraneae potestati, hujus regni legibus jamdiu merito repudiatas, atque abolitae, favebit atque adhaerebit; vel dogma aliquod papisticum ac erroneum astruet, aut tuebitur; dicti oeconomi, et inquisitores sive assistentes episcopo dioecesano, vel loci ordinario eundem detegant, et indicabunt, ut poenis et censuris per ecclesiasticas sanctiones irrogatis coerceatur.

CXI. *Precum divinarum perturbatores in curiis detegendi.*

In omnibus episcoporum et archidiaconorum visitationibus oeconomi, et inquisitores sive assi-

cante, custodum spiritualitatis, aut aliorum ordinariarum, quibus de jure competit, in suis respective jurisdictionibus, ac curiis, atque inter suae jurisdictionis subditos tantum.

CVII. *Separatis, eorum altero supersite, nova copula interdicta.*

In sententiis, quando ad separationem thori et mensae tantum interponuntur, monitio, et prohibitio in ipso contextu sententiae latae fiet, ut a partibus abinvicem dissociatis caste vivatur, nec ad alias nuptias, alterutra vivente, convoleatur. Denique quo postremum illud firmitus observetur, sententia separationis non ante pronunciabitur, quam qui eam postulabunt, idoneam cautionem interposuerint, se contra dictam monitionem et prohibitionem nihil commissuros.

CVIII. *Sanctio in iudices contra praemissa delinquentes.*

Quodsi quis iudex sententiam separationis, seu divortii tulerit, et praemissa omnia non praestiterit, per annum integrum ab executione officii sui per archiepiscopum, vel episcopum dioecesanum suspendetur. Et sententia separationis, contra formam praedictam lata, pro nulla ad omnem juris effectum habebitur, ac si omnino lata non fuisset.

stentes eorum omnium nomina vere et personalter praesentabunt, qui incivilter aut immodeste in ecclesia se gesserint, vel intempestiva campanarum pulsatione, obambulatione, garritu, aut alio quovis strepitu concionatorem, vel ministrum interpellaverint.

CXII. *Puberes in festo Paschatis non communicantes in curiis detegendi.*

Ecclesiarum parochialium, et capellarum ministri, oeconomi, inquisitores, sive assistentes quolibet anno infra quadraginta dies post festum Paschatis episcopo, vel cancellario suo exhibebunt nomina et cognomina omnium utriusque sexus de sua parochia, qui majores sedecim annis ad sacrosanctam communionem Paschate tum praecedente non accesserint.

CXIII. *Peccata notoria ministris jus est denunciare, privatim confessa retegere, nefas.*

Quoniam saepenumero contingit, ecclesiae oeconomos, et inquisitores sive assistentes aliosque e laicis, quibus id officii, munerisque incumbit, ut per admonitiones, reprehensiones, et delationes ad ordinarios peccatum et impietatem coerceant, partim prae timore potentiorum, partim prae incuria in hoc officio praestando remissiores esse, quam par est, si horum temporum licentiam consideremus; statuimus et ordinamus, ut licitum deinceps sit singulis lectoribus ac vicariis, aut (ipsis legitime absentibus) eorum curatis, et substitutis, cum ecclesiae oeconomis et assistentibus, reliquisque supra nominatis, in criminibus ad tempora inferius praestituta detegendis, operas suas conjungere; siquidem dicti oeconomi et assistentes crimina et culpas

culpas enormes in suis parochiis notorias deferre voluerint. Quodsi ii facere detrectaverint, tum licebit singulis rectoribus et vicariis, aut (illis ut supra absentibus) eorum curatis ac substitutis, omnia ejusmodi crimina, de quibus dicti officarii habent inquirere, aut alia quaecunque ipsis (utpote quibus praecipua cura peccati infra suas parochias coercendi incumbit) corrigenda videbuntur, temporibus constitutis, vel alias, ubi commodum judicaverint, ad ordinarios suos deferre et praesentare. Proviso semper, quodsi quis peccata sua occultiora alicui ministro privatim confiteatur, conscientiam suam exonerando, quo ab illo spirituales consolationem, et levamen percipiat, eum hac nostra constitutione nullatenus teneri volumus; quin potius stricte illi praecipimus, ne ejusmodi aliquod crimen aut delictum fidei ac taciturnitati suae taliter commissum cuivis personae aliquando retegat, nisi sit ex eo genere criminum, quorum occultatio ex legibus hujus regni sit capitalis: qui contrafecerit, eo ipso irregularis esto.

CXIV. *Recusantes per ministros in curiis detegendi.*

Rectores, vicarii, vel curati omnes quolibet anno solícite inquirent, quot papistici recusantes viri, mulieres, vel pueri ultra tredecim annos nati, quot etiam papisticae religioni tectius addicti, qui licet in ecclesia se praesentes fiant, sacramenti tamen participes fieri recusant, infra suas respective parochias commorentur, sive ut hospites, sive ut inquilini, eorumque omnium nomina vera, siquidem ea poterunt exquirere, vel alias, quae pro tempore usurpant, debita semper inter absolute et ex parte recusantes distinctione servata, in scriptum referent, eademque quatenus norunt, creduntque sic distincta, et sua manu descripta, ante festum Nativitatis ordinariis suis fideliter exhibebunt, idque sub poena suspensionis per eosdem ordinarios infligenda; atque sic deinceps singulis annis sequentibus, sub simili poena ante festum S. Johannis Baptistae. Insuper tenebuntur omnes ordinarii, cancellarii, commissarii, archidiaconi, officiales, caeterique ecclesiastica jurisdictione fungentes, quibus supradictae detectiones exhibitae fuerint, easdem infra mensem unum, postquam illas receperint, episcopo suo respective tradere, sub poena suspensionis semestris ab omni muneris sui executione, per episcopum, quoties hac in parte defecerint, irroganda; qui et ipse easdem infra sex septimanas archiepiscopo curabit offerri, per eundem infra alias sex septimanas, postquam ipse receperit, regiae majestati praesentandas.

CXV. *Ne ministris aut oeconomis fraudi sit criminorum detectio.*

Quum ad correctionem criminum et hominum criminorum ecclesiarum oekonomi, inquisitores, sive assistentes, aliiquid id genus officarii ecclesiastici jurejurando obstringantur, quemadmodum et ministri nostra monitione tenentur tam ipsa crimina et culpas a dictis criminosis perpetratas, quam etiam publicam famam de iisdem sparsam et disseminatam deferre, et

praesentare, unde saepe odium illis, et invidia, quandoque etiam molestia per dictos fontes eorumve amicos conflatur; monemus et hortamur omnes judices tam ecclesiasticos, quam seculares, quatenus tremendum summi judicis tribunal respiciunt, et reverentur, ne admittant in suis curiis ullam querelam, actionem, litis intemperationem, aut prosecutionem contra ullos ecclesiarum oekonomos, aut inquisitores, sive assistentes, aliosve officarios ecclesiasticos, qui ejusmodi detectiones exhibuerint, nec contra ministrum aliquem, quamcunque demum personam vel culpam detulerit; quum omnes ejusmodi delationes ad impietatis audaciam cohibendam spectent, quumque tam ex regulis charitatis, quam recti regiminis praesumendum sit, eos, quicquid hac in re fecerint, non odii aut malevolentiae causa, sed fidei suae liberandae conscientia fecisse.

CXVI. *Oekonomi ad binas tantum detegendi vices annuatim tenentur.*

Nullius parochiae oekonomi, vel inquisitores, sive assistentes, accusationes, aut detectiones suas cogentur judici cuiquam ecclesiastico praesentare saepius, quam singulis annis semel, in iis utique locis, ubi non consueverunt plures exhiberi, aut bis in dioecesi vel loco quocunque, nisi in episcopi visitatione. Pro quibus parochiae cujusque praesentationibus registrarius cuiuslibet curiae, in qua exhibenda sunt, supra quatuor denarios in uno anno non recipiet, sub poena menstruae suspensionis a muneris sui exercitio pro singulis ejusmodi delictis. Proviso semper liberum fore cuique ministro, oeconomis, et assistentibus, quoties et quando videbitur pro causarum conditione delinquentes deferre et accusare; similiterque cuivis pie affecto, vel etiam judici cuilibet ecclesiastico, super notitia sibi facta de enormi aliquo crimine infra suam jurisdictionem perpetrato, ministrum, oekonomos, aut assistentes licebit admonere, quatenus gloriam Dei respiciunt, et correctionem peccati, ut tale crimen publice detegant, dum tamen justam ejus detegendi causam invenerint, ut ista ratione mature puniri ac corrigi possit. Proviso etiam, ut pro spontaneis hisce praesentationibus nullum feodum aut salarium sub poena praedicta recipiatur.

CXVII. *Oekonomi, binis detegendi vicibus debite perfuncti, non sunt de reliquo in curiam vocandi.*

Nullus ecclesiae oekonomus, aut inquisitor, sive assistens ad comparandum coram ecclesiastico iudice quocunque extra tempus vel tempora praestituta citabitur, quod delictum aliquod in sua parochia commissum, et ecclesiasticis censuris obnoxium aliis temporibus deferre recusaverit; neque eorum quilibet post detectiones suas statim temporibus exhibitae, earum occasione deinceps in jus trahetur, nisi ex certis et manifestis indiciis constiterit, eum volentem et scientem omisisse detectionem notorii alicujus criminis aut criminum, quae vel commissae fuisse noverit, vel ignorare saltem non potuerit, publica fama eadem laborare; vel nisi forte justa causa

causa emerferit, eosdem pro detectionum priorum explanatione in curiam compellendi; quo casu, voluntariae scilicet omissionis, ordinarii contra eosdem taliter procedent, quemadmodum in causis spontanei perjurii in curiis ecclesiasticis commissi, haecenus lege cautum et provisum est.

CXVIII. *Anni superioris oeconomi detectiones suas tenentur exhibere, priusquam recens electi munus suum adeant.*

Oeconomi, et inquisitores, vel assistentes non prius officio suo soluti deinceps intelligentur, quam ipsorum successores juramentum suum susceperint, id quod prima post festum Paschatis septimana, vel aliqua statim sequente, pro arbitrio ordinarii, fieri volumus. Quod tempus dicto juramento assignatum, alterum semper erit ex duobus illis anni cujusque temporibus, in quibus omnium parochiarum ministri, oeconomi, et assistentes suis respective ordinariis exhibebunt illorum criminum detectiones, quae citra proximas praesentationes in suis parochiis admissa esse compererint. Quod officium praedicti oeconomi perficient, antequam recens electi oeconomi et assistentes juramentum suum praestent, neque illis ullatenus permittetur, dictas praeteritorum criminum detectiones in novitios hosce rejicere, qui munus suum vix dum ingressi, eorundem ignari esse praesumuntur; sub poena sanctionum in eos constitutarum, qui conscientias et juramenta sua ad hunc modum audebunt eludere.

CXIX. *Detectionum schedulae fide bona, non perfunctorie et pro forma conscribendae.*

Quo melius illis incommodis occurratur, quae ex detectionum schedulis sive billis, quas vocant, propere et festinanter confectis, in ipsis videlicet diebus visitationum, et synodorum, haecenus constat evenisse; statutum est et decretum, ut quilibet cancellarius, archidiaconus, commissarius, officialis, alique jus dicentes ecclesiasticum, ad tempus oeconomorum juramento praestando consuetum, itemque archiepiscopus et episcopi omnes, quoties visitationes suas indicunt, parochiarum omnium oeconomis, et inquisitoribus, sive assistentibus, aut eorum aliquibus tradant aut tradi curent libros articulorum, de quibus eosdem velint detectiones suas anno insequente ad statuta tempora exhibendas instituere; in quo item libro apponetur forma juramenti, quo statim ante singulas ejusmodi praesentationes sint onerandi; ut spatio sufficienti dato ad examinandam, et perpendendam tum juramenti sui qualitatem, tum etiam articulorum, quibus ipsorum detectiones niti debeant, deliberate et cum fide easdem domi suae formare possint, ad conscientias suas, jurisjurandi religione jam obstrictas, uti probos et pios decet, liberandas.

CXX. *Ne qua citatio, nisi expressis citandorum nominibus, e curiis emittatur.*

Nullus episcopus, cancellarius, archidiaconus, officialis, aut alius quilibet judex ecclesiasticus citationes ullas generales, quae vulgo "Quorum

nomina" dicuntur, ex curia sua emanare patietur; nisi partium citandarum nomina per registrarium, vel ejus deputatum diserte sub eisdem exprimantur; eademque citationes, cum nominibus sic inscriptis, judicis vel ejus surrogati subscriptione et sigillo munitae exeant.

CXXI. *Ne quis in pluribus curiis super eodem crimine cogatur respondere.*

In partibus iis, ubi episcopus et archidiaconus sive ex praescriptione, sive ex compositione ad diversa unius et ejusdem anni tempora visitationes suas obire consueverunt; ne majestatis suae subditi in pluribus curiis ecclesiasticis super uno et eodem crimine, non sine gravi ipsorum molestia, postulentur, statuimus et ordinamus, ut quilibet archidiaconus, vel ejus officialis infra unum mensem, post peractam eo anno visitationem, et praesentationes acceptas, episcopum vel ejus cancellarium sub sua manu et sigillo instruat ac informet de nominibus et delictis eorum omnium, qui in visitatione sua fuerint detecti et praesentati, quo is super ulla causa, aut crimine ad archidiaconum prius delata, aliquem convenire deinceps absteat. Pari ratione decernimus, ut cancellarius, infra idem tempus post finitam episcopi visitationem, et detectiones receptas, eorum fontium nomina et delicta, quos in proxima ipsius visitatione praesentari contigerit, sua subscriptione et sigillo verificata, ad archidiaconum, vel ejus officialem, in praedictum finem, transmittat. Quod si dicti officarii vel seinvicem, sicut praefertur, instituere ac informare omiserint, vel post factam ejusmodi informationem, personas aut culpas in aliena visitatione detectas et praesentatas, attigerint, tunc eorum quilibet sic delinquens ab omni jurisdictionis suae exercitio per episcopum dioecesanum eatenus suspendetur, donec expensas omnes per hanc molestiam susceptas personae gravatae restituerit.

CXXII. *Sententiae pro ministris a beneficio vel officio removendis, non nisi per episcopum pronuntiandae.*

Quotiescunque in curia aliqua ecclesiastica, ad quemlibet hujus provinciae episcopum spectante, contra ministrum accusatio instituetur, cancellarius, commissarius, officialis, vel quivis alius ecclesiasticam jurisdictionem obtinens, cujus intererit, causam omnem per processum, aliasque vias et modos adversus eum expediet, ejusque in non comparendo contumaciam primo suspensionis, eandem vero continuatam excommunicationis poena ulciscetur. Sin autem debite comparens legitimo juris processui se submiserit, tunc, ubi causae maturitas sententiam postularit, si forte delicti meritum vel deprivationem vel depositionem a sacris ordinibus ex decreto juris exigat; nullam ejusmodi sententiam per quamlibet personam pronunciari volumus, praeterquam per episcopum, adhibitis ipsius cancellario, et decano, si commode id fieri potest, et aliquot praebendariis, si prope ecclesiam cathedralem dicta curia teneatur, vel archidiacono, modo ejus facultas detur, aliisque duobus ad minus gravibus ministris, ac eisdem concionatoribus,

toribus, per episcopum advocandis, quando curiam aliis in locis haberi contigerit.

CXXIII. *Actus judiciales non nisi publica, et autentica manu expediendi.*

Nullus cancellarius, commissarius, archidiaconus, officialis, aut alius quilibet ecclesiasticam jurisdictionem exercens, actum aliquod judiciale expediet, sive contentiosae, sive voluntariae jurisdictionis, nisi adhibito ordinario ejusdem curiae registrario, vel ejus legitimo deputato; aut si is vel ii nolint aut nequea nt interesse, tum aliis personis authenticis, quae eadem acta conscribant aut expediant, sub poena suspensionis ipso facto subeundae.

CXXIV. *Curiarum sigilla, unica.*

Nullus cancellarius, commissarius, archidiaconus, officialis, aut alius quilibet jurisdictione utens ecclesiastica, plura, quam unum duntaxat sigillum citra episcopi consensum habebit, pro omnibus, quaecunque in ipsius officium inciderint, sigillandis. Quod quidem sigillum custodietur semper aut penes ipsum, aut penes illius substitutum legitimum, ejus vice jus dicentem, necnon infra ipsius jurisdictionem, vel saltem in urbe aut oppido ejusdem comitatus principali commorantem. Hoc sigillum titulum ejus jurisdictionis continebit, quam quisque praedictorum judicum, aut deputatorum exercet.

CXXV. *Curiarum sedes opportuna.*

Omnes cancellarii, commissarii, archidiaconi, officiales, caeterique judices ecclesiastici curias suas de mandato vel consensu episcopi dioecesanum in talibus locis instituent, qui ad eos, quos in eisdem comparere oportet, excipiendos idonei, et

ad laborem itineris minuendum maxime commodi videbuntur. Similiter etiam curias suas intra horas competentes inchoabunt ac dissolvent, ita ut quisque, quantum fieri potest, mature et tempestive domum suam possit repetere.

CXXVI. *Curiae inferiores testamenta originalia ad episcoporum archiva jubentur transmittere.*

Cum decani, archidiaconi, praebendarii, rectores, vicarii, alique ecclesiastica jurisdictione fungentes, omnium infra suas respective jurisdictiones defunctorum testamenta probandi immunitatem sibi vendicent, neque tamen cognitos ullos aut certos habeant registrarios, vel locum publicum registrarum suorum tutae custodiae deputatum; unde saepius evenerit, testamenta, jura, et legata quamplurima per dictorum judicum mortem, aut mutationem perire ac intercidere, in maximum subitorum praejudicium ac dispendium; statuimus et ordinamus, ut singuli peculiarem ejusmodi jurisdictionem possidentes ac exercentes, semel quotannis referant in publicum archivum episcopi dioecesanum, vel decani et capituli, infra cujus ditionem peculiares illae jurisdictiones extiterint, omnia testamenta originalia per ipsos infra peculiares suas jurisdictiones respective eo anno probata; vel verum saltem eorundem exemplar per dictum judicem peculiarem, ejusque notarium examina um, subscriptum, et consignatum. Quod si quis judicum praedictorum in eo deliquerit, is per episcopum dioecesanum, vel decanum et capitulum, ad quos illa jurisdictio respective pertinebit, omni peculiaris jurisdictionis exercitio eousque privabitur, quoad hanc nostram constitutionem debite adimpleverit.

De judicibus ecclesiasticis.

CXXVII. *Judicum ecclesiasticorum qualitas.*

Nullus in posterum ad officium cancellarii, commissarii, aut officialis admittetur ad jurisdictionem quamlibet ecclesiasticam exercendam, nisi qui vicesimum sextum ad minus aetatis suae annum compleverit, et qui in jure civili et canonico eruditus existat, sitque ad minimum magister artium, aut in jure bacalareus, ac in praxi et causis forensibus laudabiliter exercitatus, necnon recte affectus, et religioni studiose deditus, de cujus vita et moribus nullus sinister fermo audiatur; ac insuper nisi priusquam talis cujusque officii functionem, aut exercitium adeat, in supremam regis auctoritatem in causis ecclesiasticis coram episcopo, vel publice in curia juraverit; ac religionis articulos in synodo, Anno M.D.LXII, communiter conclusos, subscriptione sua comprobaverit; et etiam juratus receperit se integre et ex aequo, pro capto suo, jus redditurum, absque omni intuitu vel gratiae, vel mercedis; quorum utique juramentorum, ac subscriptionis per registrarium tum praesentem actum conscribetur. Haud secus omnes cancellarii, commissarii, officiales, registrarii, alique quotquot jurisdictionis, sive ministerii ecclesia-

fici locum aliquem in praesenti possident, aut exercent, citra festum Nativitatis proxime venturum, coram archiepiscopo, aut episcopo, vel etiam in aperta curia, sub quo, et in qua muneribus suis funguntur, eadem juramenta subire, et, prout superius dictum est, subscribere tenebuntur. Quod si facere recusaverint, a munerum suorum executione eousque suspendentur, quoad juramenta praemissa, et subscriptionem, ut supra, praestiterint.

CXXVIII. *Qualitas deputandorum.*

Nullus cancellarius, commissarius, archidiaconus, officialis, aut alius quicunque ecclesiastica jurisdictione praeditus, aliquem ad curiam sui absentis loco tenendum quovis tempore deputabit, nisi qui gravis minister fuerit, idemque graduatus; vel pro concionatore publico legitime receptus, ac prope ejusmodi consistoria beneficiatus; vel qui in legibus bacalareus, aut in artibus magister ad minimum extiterit, ac in jure civili et canonico scientiam habuerit competentem, et de verae religionis studio, sobriusque ac honesto vitae cultu fuerit commendatus; sub poena suspensionis ab executione officiorum pro singulis delictis spatium trium mensium toties,

ties quoties. Deputatus vero, qui praedictarum qualitaturn expers, audebit tamen iudicis vices in curiis tenendis, ut supra, usurpare, simili

prorsus censurae, modo et forma praemissis, subiacebit.

De Procuratoribus.

CXXIX. *Procuratores, nisi de partis mandato autentico, causas attingere prohibiti.*

Nullus deinceps in aliqua causa procurabit, nisi ab ipso litigante apud acta curiae fuerit constitutus, vel in ipso litis ingressu illius vero et sufficienti procuratorio fulciatur. Sufficiens vocamus, quod autentico aliquo sigillo munitur, approbatione item, aut saltem ratihabitione constituentis eodem accedente. Ejusmodi vero procuratoria omnia quamprimum confici volumus, et a procuratoribus exhiberi, ac in publicis ejusdem curiae scriniis per registrarium salva custodiri. Qui ex registrariis vel procuratoribus secus in istorum aliquo fecerit, bimestri suspensione ab exercitio officii sui, absque omni spe relaxationis, aut restitutionis, ferietur.

CXXX. *Procuratores, sine advocati alicujus consilio, causas retinere prohibiti.*

Ad minuendas et consopandas lites, ac litigantium querelas tollendas, qui procuratorum incuria ac negligentia, vel etiam inscitia multoties causa cadunt; necnon ad incrementum bonarum literarum, jurisque civilis et canonici propagationem; juxta laudabiles consuetudines in curiis archiepiscopi Cantuariensis hactenus observatas, statuimus et ordinamus, ut nullus procurator ibidem exercens absque advocati alicujus consilio quamlibet causam suscipiat, ac per duos dies juridicos retineat, sub poena suspensionis annuae ab officii sui executione; nec iudici potestas erit, absque expresso archiepiscopi mandato et auctoritate, hujus poenae gratiam ullatenus faciendi.

CXXXI. *Procuratores, inconsulto avvocato, in causa concludere prohibiti.*

Non admittet aliquis iudex in curiis archiepiscopi praedictis libellum, aut aliam quamlibet materiam, sine consilio et subscriptione alicujus advocati ad exercendum ibidem admissi; neque vero procuratoribus licebit in causa concludere, nisi de notitia advocati in eadem causa adhiberi et salariati. Si quis vero procurator contrafecerit, aut fieri procuraverit; vel etiam advocatum quocunque praetextu suo fraudaverit stipendio aut salario, vel in avvocato consulendo, quid in causa fieri expediat, negligentior fuerit; eidem suspensionem semestrem a muneris sui executione, sine spe veniae interim consequendae decernimus.

CXXXII. *Procuratorium in causis testamentariis juramentum prohibitum.*

Cum in testamentorum probationibus, administrationumque bonorum ab intestato decedentium petitionibus, juramentum per procuratores curiarum in animam constituentis praestitum, multis patere incommodis sit perspectum; cautum deinceps esse volumus, ut quilibet executor, vel bonorum defuncti administrationem petens, iudicem in hac parte ordinarium, vel ejus surrogatum personaliter adeat, et juramentum usitatum per se, et non per procuratorem aliquem praestet. Si tamen vel valetudinis, vel aetatis incommodo, vel alia causa legitima impeditus in propria persona iudicem adire nequeat; permittimus, ut, fide super impedimenti veritate per excusatorem fide dignum prius facta, iudex gravi alicui viro ecclesiastico partis habitationi vicino commissionem concedat, per quem juramentum usitatum dicto executori vel administrationem petenti, vice sua ministrandi eidem viro ecclesiastico potestatem tradat, eumque roget, ut quid in praemissis fecerit, per nuncium fidelem se postea certiores reddat. Provisio semper, quod nullus iudex, vel registrarius, pro ejusmodi commissione scribenda, concipienda, aut sigillanda, ultra summam sex solidorum et octo denariorum quoquomodo accipiet; cujus dimidium iudici, et dimidium ejusdem curiae registrario cedit.

CXXXIII. *Procuratorum vox importunior in curiis cohibita.*

Quoniam experientia compertum est, procuratorum vociferationes, et clamores in curiis archiepiscopi non modo iudicibus et advocatis molestiam et offensionem parere; sed et astantibus causam contemptus et calumniae adversus curiam ipsam praebere; quo melius dignitati iudicis consulatur, causaeque facilius et commodius tractentur, et expediantur, mandamus et praecipimus, ut procuratores in curiis praedictis praecipue in id intendant, ut juxta consilium advocatorum acta per registrarium bona fide conscribantur, ut ab omni strepitu, et verborum contentione abstineant, et modeste se gerant, ac loquentibus iudicibus aut advocatis, vel eorum aliquo, protinus conticescant, sub poena silentii imponendi per duos terminos inde sequentes. Et si eorum aliquis pluries deliquerit, neque debita interposita admonitione se emendaverit, a praedicti muneris exercitio in perpetuum arceatur.

De registrariis.

CXXXIV. *Registrariorum excessus coerciti.*

Si quis registrarius, vel ipsius assignatus aut deputatus qualiscunque certificatoria receperit sine consensu iudicis, quem pro tribunali sedere contigerit; vel sponte omiserit praeconizari fa-

cere quemlibet citatum aut assignatum ad comparandum die aliquo juridico; aut testes in diem a iudice praestitutum examinandos indebite distulerit; aut iudiciali et legitima monitioni iudicis non paruerit; aut si neglexerit citationes et decreta ante proximum diem iudicum

dicum exequenda, et per nuncios speciales emittenda transcribere; aut non curaverit testamenta omnia infra tempus idoneum in registrum conscribi; vel si quid falsum et ex se commentum, ac non per judicem pronunciatum, tanquam judicis decretum in acta retulerit; aut in transmissione processuum ad judicem, "ad quem" aliquid falsi inseruerit, aut quicquam sive dolo malo, sive lata negligentia omiserit; aut munera in favorem alterutrius partis in causis instantiae, vel promotis ex officio acceperit; aut alterutri partium litigantium a consiliis directe vel indirecte fuerit; aut in executione officii sui aliud malitiose aut subdole fecerit, unde judex ecclesiasticus, aut ejus jurisdictio possit infamari; volumus et ordinamus, eundem registrarium, aut ejus assignatum et deputatum in praemissis, aut eorum aliquo delinquentem a suo munere ac officio, per inum, duos, tres, aut plures menses, pro delicti ratione, per episcopum dioecesanum suspendi; publicumque aliquem notarium per episcopum deputari, qui, durante ejusmodi poena, omnia dicti registrarii officium contingentia exequatur.

CXXXV. Feodorum, quae juris ecclesiastici administris debentur, census debet esse statarius.

Nullus episcopus, suffraganeus, cancellarius, commissarius, archidiaconus, officialis, aut alius ecclesiasticam jurisdictionem quamcunque exercens, nec ullus cujuslibet curiae ecclesiasticae registrarius, vel administrator quicunque dictis officiariis vel curiis subserviens, pro qualibet causa in illorum curiis promota, alia aut majora feoda sive salaria deinceps recipiet, quam ea, quae anno M.D.XCVII. reverendissimo patri D. Johanni, nuper Cantuariensi archiepiscopo, certificata, et ab eodem rata sunt, et approbata. Quodsi quis judex aut registrarius, vel eorum minister aliquis contrafecerit, pro singulis ejusmodi delictis per sex menses officii sui exercitio privabitur. Proviso semper, quodsi dubium aliquod de talium feodorum, aut eorum cujuslibet certa summa oriri contigerit, tum ea feoda pro legitimis judicabuntur, quae per archiepiscopum Cantuariensem pro tempore existentem sub manus suae subscriptione erunt approbata, nisi statuta hujus regni hactenus edita in particulari aliquo casu alia expresse praestiterint. Proviso etiam, quod nihil salarii aut pecuniae recipietur, vel per archiepiscopum, vel per episcopum, aut suffraganeum ullum directe aut indirecte pro quolibet in sacros ordines suscipiendo; nec quod aliqua persona vel personae eisdem archiepiscopo, episcopo, vel suffraganeo

subservientes, pro membrana, scriptione, cera, sigillatione, vel alia quavis causa hoc negotium contingente, supra decem solidos percipient, sub poenis hac in parte lege constitutis.

CXXXVI. Statarius feodorum census in tabulas relatus, publice in consistoriis et archivis proponendus.

Statuimus porro et ordinamus, ut cujusque judicis ecclesiastici registrarius tabulas binas, in quibus certae singulorum feodorum summae separatim exprimentur, publice figi curet et proponi; unam in consistorio, vel loco consueto, ubi dicta curia teneri solet; alteram in suo archivo; utramque in loco ita congruo, ut quilibet, cujus intererit, ejusdem inspiciendae, et legendae, vel etiam transcribendae liberam habeat facultatem: quod ante festum Nativitatis proxime futurum perfici volumus. Quodsi quis registrarius dictas tabulas juxta tenorem praemissorum publice figendas non curaverit, ab executione officii sui eoque suspendetur, quoad praemissa, modo et forma specificatis, perfecit; easque tabulas semel fixas si quando vel auferet, vel in fraudem hujus constitutionis ex loco, in quo primum positae erant, removeri, vel quovis pacto occultari patietur; tunc pro singulis ejusmodi delictis ab exercitio muneris sui per semestrem spatium suspendetur.

CXXXVII. Feoda pro ordinum literis, aliisque licentiis episcopo exhibendis, tantum dimidia, praeterquam in prima episcopi visitatione, persolvenda.

Cum non minima sit visitationis causa et effectus, ut episcopus, archidiaconus, aut alius visitans de statu, sufficientia, et facultatibus cleri, et aliorum visitandorum perfectiorem aliquam notitiam consequantur, aequum duximus, ut quilibet rector, vicarius, curatus, ludimagister, et alius quicunque licentiatas literas ordinum, institutionis, et inductionis, itemque dispensationes, licentias, et facultates suas quascunque in visitatione prima illius episcopi, vel in proxima post ejus admissionem exhibeat, per dictum visitantem approbandas, aut, si justa fuerit causa, rejiciendas; et si approbatae fuerint, per registrarium, uti moris est, consignandas; quodque feoda in visitationibus intuitu praemissorum consueta solvi, semel duntaxat tempore alicujus episcopi integra persolvantur; in reliquis vero ejusdem visitationibus, quamdiu in ea sede permanserit, dictorum feodorum dimidium tantum exigatur.

Apparitores.

CXXXVIII. Apparitorum excessus coerciti.

Quoniam excessibus et gravaminibus, quae per apparitores inferri dicuntur, remedium cupimus adhibere opportunum; censemus apparitorum multitudinem, quantum fieri poterit, restringendam. Statuimus ergo et ordinamus, nullatenus licitum fore episcopis vel archidiaconis, eorumve vicariis seu officialibus, aliisque inferioribus ordinariis deputare et habere plures apparitores, jurisdictionibus suis respective in-

servientes, quam ante triginta annos praeteritos vel ipsi, vel ipsorum praedecessores habere consueverunt; qui omnes per se suum fideliter exequantur officium, nec per nuncios aut substitutos, quocunque quaesito colore, sua vice mandatorum executiones demandent, aut permittant, nisi ex causa a loci ordinario prius cognita et approbata; neque vero promotorum officii, vel denunciatorum personas omnino sustinebunt, feodave ampliora vel majora, quam quae his constitutionibus superius statuuntur, ullatenus

nus exigit. Quodsi vel plures, quam superius est expressum, deputati extiterint, vel illorum aliqui praemissa violaverint; deputantes, si episcopi sint, per superiorem moniti supernumerarios dimittant; si ordinarii episcopis inferiores, ab executione officii suspendantur, donec hujusmodi deputatos amoverint: deputati autem ipsi ab apparitorum officio amoveantur perpetuo, et si

amoti non desistant, tanquam contumaces, canonicis censuris coerceantur; proviso semper, quodsi archiepiscopus Cantuariensis experientia compertum habuerit, apparitorum numerum in aliqua dioecesi redundare, tum omnem ejusmodi redundantiam dicto archiepiscopo relinquimus, pro ipsius beneplacito minuendam.

Auctoritas synodorum.

CXXXIX. *Synodus nationalis ecclesia repraesentativa.*

Quisquis de caetero affirmabit, sacrosanctam hujus nationis synodum in Christi nomine, ac de regis mandato congregatam, non esse repraesentative veram ecclesiam Anglicanam, excommunicetur; nequaquam absolvendus, priusquam resipuerit, et impium hunc errorem publice revocarit.

CXL. *Synodi acta tam absentes, quam praesentes obligant.*

Quisquis de caetero affirmabit, nullos five clericos five laicos, qui in eadem sacra synodo personaliter non convenerint, ejusdem decretis, ecclesiasticas causas concernentibus, quantumvis ex suprema regiae majestatis auctoritate conditis, et per eandem ratihabitis, ullatenus obligari, ut

quibus ipsi votum et consensum suum non prae-buerint, excommunicetur; nequaquam absolvendus, priusquam resipuerit, ac impium hunc errorem publice revocarit.

CXLI. *Synodi auctoritati derogantes, coerciti.*

Quisquis de caetero affirmabit, dictam sacram synodum, congregatam ut supra, fuisse coetum ex talibus conflatum, qui in pios et religiosos evangelii professores conspirabant, ac proinde tum ipsos, tum ipsorum acta in canonibus five constitutionibus circa causas ecclesiasticas ex regis auctoritate, ut praedictum est, condendis ac sancendis rejici, ac contemni debere, quantumvis eadem per dictam potestatem regiam, ac supremam ejusdem auctoritatem ratihabitae, confirmatae, ac injectae sint, excommunicetur; haudquaquam absolvendus, priusquam resipuerit, ac impium hunc errorem publice revocarit.

Sede Cant.
vacante.

Anno Christi
1604.

Reg. Angliae
JACOB. I. 2.

A letter from King James to Dr. Abbot about the proceedings of convocation.
Welwood's Memoirs p. 32.

Good doctor Abbot.

I CANNOT abstain to give you my judgment of your proceedings in your convocation, as you call it; and both as "rex in solio" and "unus gregis in ecclesia" I am doubly concerned. My title to the crown no body calls in question, but they that neither love you nor me; and you guess whom I mean. All that you and your brethren have said of a king in possession (for that word I tell you, is no worse than that you make use of in your canon) concerns not me at all; I am the next heir, and the crown is mine by all rights you can name, but that of conquest, and Mr. Solicitor has sufficiently expressed my own thoughts concerning the nature of kingship in general, and concerning the nature of it, "ut in mea persona:" and I believe you were all of his opinion; at least none of you said ought contrary to it, at the time he spake to you from me. But you know all of you, as I think, that my reason of calling you together, was to give your judgments how far a christian, and a protestant king may concur to assist his neighbours, to shake off their obedience to their once sovereign, upon the account of oppression, tyranny, or what else you like to name it. In the late queen's time this kingdom was very free in assisting the Hollanders both with arms and advice. And none of your coat ever told me,

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that any scrupled about it in her reign. Upon my coming to England you may know that it came from some of yourselves to raise scruples about this matter. And albeit I have often told my mind concerning "jus regium in subditos," as in May last in the Star-chamber, upon the occasion of Hales his pamphlet, yet I never took any notice of these scruples, till the affairs of Spain and Holland forc'd me to it. All my neighbours call on me to concur in the treaty between Holland and Spain; and the honour of the nation will not suffer the Hollanders to be abandoned, especially after so much money and men spent in their quarrel. Therefore I was of the mind to call my clergy together, to satisfy not so much me, as the world about us, of the justness of my owning the Hollanders at this time. This I needed not have done, and you have forced me to say, I wish I had not. You have dipped too deep in what all kings reserve among the "arcana imperii." And whatever aversion you may profess against God's being the author of sin, you have stumbled upon the threshold of that opinion, in saying upon the matter, that even tyranny is God's authority, and should be reverenc'd as such. If the king of Spain should return to claim his old pontifical right to my kingdom, you leave me to seek for others to fight for it; for you tell us upon the matter before hand, his authority is God's authority, if he prevail.

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"Thus far the secretary's hand, as I take it; the rest follows in the king's own hand:" Mr. Doctor. I have no time to express my mind farther in this thorny business, I shall give you my orders about it by Mr. Solicitor, and until then meddle no more in it, for they are edge tools, or rather like that weapon, that's said to

cut with the one edge, and cure with the other: I commit you to God's protection, good Doctor Abbot, and rest

Your good friend,

JAMES R.

Sede Cant.
vacante.

Anno Christi
1604.

Reg. Angliae
JACOB. I. 2.

A proclamation enjoining conformity to the form of the service of God established.

THE care, which we have had, and pains, which we have taken to settle the affairs of this church of England in an uniformity as well of doctrine, as of government, both of them agreeable to the word of God, the doctrine of the primitive church, and the laws heretofore established for those matters in this realm, may sufficiently appear by our former actions. For no sooner did the infection of the plague, reigning immediately after our entry into this kingdom, give us leave to have any assembly, but we held at our honour of Hampton court for that purpose a conference between some principal bishops and deans of this church, and such other learned men as understood or favoured the opinions of those that seek alteration, before ourself and our council. Of which conference the issue was, that no well grounded matter appeared to us or our said council, why the state of the church here by law established, should in any material point be altered. Nor did those that before had seemed to affect such alteration, when they heard the contrary arguments, greatly insist upon it, but seemed to be satisfied themselves, and to undertake within reasonable time to satisfy all others that were misled with opinion, that there was any just cause of alteration. Whereupon we published by our proclamation what had been the issue of that conference, hoping that when the same should be made known, all reasonable men would have rested satisfied with that which had been done, and not have moved further trouble or speech of matters, whereof so solemn and advised determination had been made. Notwithstanding at the late assembly of our parliament there wanted not many, that renewed with no little earnestness the questions before determined, and many more as well about the book of Common prayer, as other matters of church government, and importuned us for our assent to many alterations therein; but yet with such success, as when they had heard both our own speeches made unto them at sundry times, shewing the reasons of our former proceedings in those matters, and likewise had had conference with some bishops and other lords of the upper house about the same, they desisted from further prosecution thereof; finding that of all things that might any way tend to the furtherance of religion, and establishment of a ministry fit for the same, we had before with the advice of our council had such consideration, as the present state of things would bear, and

taken order how the same should be prosecuted by such means, as might be used without any public disturbance or innovation: and so the end of all their motions and overtures falling out to be none other in substance, than was before at the conference at Hampton court, that is, that no apparent or grounded reason was shewed, why either the book of Common prayer, or the church discipline here by law established, should be changed (which were unreasonable) considering that particular and personal abuses are remediable otherwise, than by making general alterations; we have thought good once again to give notice thereof to all our subjects by public declaration, who we doubt not but will receive great satisfaction, when they shall understand that after so much impugning, there appeareth no cause, why the form of the service of God, wherein they have been nourished so many years, should be changed; and consequently to admonish them all in general to conform themselves thereunto, without listening to the troublesome spirits of some persons, who never receive contentment, either in civil or ecclesiastical matters, but in their own fantasies, especially of certain ministers, who underpretended zeal of reformation, are the chief authors of divisions, and sects among our people. Of many of which, we hope that now, when they shall see that such things, as they have proposed for alteration, prove upon trial so weakly grounded, as deserve not admittance, they will out of their own judgment conform themselves to better advice, and not omit the principal and substantial parts of their duties, for shadows and semblances of zeal, but rather bend their strength with our intent to join in one end, that is the establishing of the gospel, and recovering of our people seduced out of the hands of the common adversaries of our religion, which shall never be well performed but by an uniformity of our endeavours therein. But if our hope herein fail us, we must advertise them, that our duty towards God requireth at our hands, that what untractable men do not perform upon admonition, they must be compelled unto by authority, whereof the supreme power resting in our hands, by God's ordinance, we are bound to use the same in nothing more, than in preservation of the churches tranquillity, which by God's grace we are fully purposed to do. And yet by advice of our council, and opinion of the bishops, although our former proclamations both before the conference and since,

since, ought to be a sufficient warning and admonition to all men, who are within the danger of them, we have thought good to give time to all ministers disobedient to the orders of the church, and to ecclesiastical authority here by law established, and who for such disobedience, either in the days of the queen our sister of famous memory deceased, or since our reign have incurred any censures of the church, or penalties of laws, until the last of November now next ensuing, to bethink themselves of the course they will hold therein.

In which mean time both they may resolve either to conform themselves to the church of England, and obey the same; or else to dispose of themselves and their families some other ways, as to them shall seem meet: and the bishops and others whom it concerneth, provide meet persons to be substitutes in the place of those, who shall willfully abandon their charges upon so slight causes, assuring them, that after that day, we shall not fail to do that, which princely providence requireth at our hands; that is, to put in execution all ways and means that may take from among our people all grounds and occasions of sects, divisions and unquietness: whereof as we wish there may never be occasion given us to make proof, but that this our admonition may have equal force in

all men's hearts, to work an universal conformity; so we do require all archbishops, bishops and other ecclesiastical persons, to do their utmost endeavours by conferences, arguments, persuasions, and by all other ways of love and gentleness to reclaim all that be in the ministry, to the obedience of our church laws: for which purpose only we have enlarged the time formerly prefixed for their remove or reformation, to the end that if it be possible, that uniformity, which we desire, may be wrought by clemency, and by weight of reason, and not by rigour of law. And the like advertisement do we give to all civil magistrates, gentlemen, and others of understanding, as well abroad in the counties, as in cities and towns, requiring them also, not in any sort to support, favour, or countenance any such factious ministers in their obstinacy; of whose endeavours we doubt not, but so good success may follow, as this our admonition, with their endeavours, may prevent the use of any other means to retain our people in their due obedience to us, and in unity of mind, to the service of almighty God.

Given at our manor of Otlands the 16th day of July, in the second year of our reign of England, France, and Ireland, and of Scotland the seven and thirtieth, anno Domini M.DC.IV.

Sede Cant.
vacante

Anno Christi
1604.

Reg. Angliae
JACOB. I. 2.

The kings letter to the bishop of London about translating the Bible. Reg. III. Whitgift fol. 155.

AFTER my hearty commendations unto your lordship. I have received letters from his most excellent majesty, the tenor whereof followeth: Right trusty and well-beloved, we greet you well. Whereas we have appointed certain learned men, to the number of four and fifty, for the translating of the Bible, and that in this number, divers of them have either no ecclesiastical preferment at all, or else so very small, as the same is far unmeet for men of their deserts, and yet we of ourself in any convenient time cannot well remedy it; therefore we do hereby require you, that presently you write in our name as well to the archbishop of York, as to the rest of the bishops of the province of Cant. signifying unto them, that we do will, and straightly charge every one of them, as also the other bishops of the province of York, as they tender our good favour towards them, that (all excuses set apart) when any prebend or parsonage, being rated in our book of taxations, the prebend to twenty pound at the least, and the parsonage to the like sum and upwards, shall next upon any occasion happen to be void, and to be either of their patronage and gift, or the like parsonage so void to be of the patronage and gift of any person whatsoever, they do make stay thereof, and admit none unto it, untill certifying us of the avoidance of it, and of the name of the patron (if it be not of their own gift) we may commend for the same

some such of the learned men, as we shall think fit to be preferred unto it; not doubting of the bishops readiness to satisfy us herein, or that any of the laity, when we shall in time move them to so good and religious an act, will be unwilling to give us the like due contentment and satisfaction; we ourselves having taken the same order for such prebends and benefices as shall be void in our gift. What we write to you of others, you must apply it to yourself, as also not forget to move the said archbishop and all the bishops, with their deans and chapters of both provinces, as touching the other point to be imparted otherwise by you unto them. Furthermore we require you, to move all our bishops to inform themselves of all such learned men within their several dioceses, as having especial skill in the Hebrew and Greek tongues, have taken pains, in their private studies of the Scriptures, for the clearing of any obscurities either in the Hebrew or in the Greek, or touching any difficulties or mistakings in the former English translation, which we have now commanded to be thoroughly viewed and amended, and thereupon to write unto them earnestly charging them, and signifying our pleasure therein, that they send such their observations either to Mr. Lively, our Hebrew reader in Cambridge, or to Dr. Harding, our Hebrew reader in Oxford, or to Dr. Andrews, dean of Westminster, to be imparted to the rest of their several companies;

408 *The king's let. to the B. of Lond. about translating the Bible.*

panies; that so our said intended translation may have the help and furtherance of all our principal learned men within this our kingdom. Given under our signet at our palace of Westm. the two and twentieth of July, in the second year of our reign of England, France, and Ireland, and of Scotland xxxvii. Your lordship may see, how careful his majesty is for the providing of livings for these learned men; I doubt not therefore, but your lordship will have a due regard of his majesty's request herein, as it is fit and meet, and that you will take such order both with your chancellor, register, and such your lordship's officers, who shall have intelligence of the premises, as also with the dean and chapter of your cathedral church, whom his majesty likewise requireth to be put in

mind of his pleasure herein, not forgetting the latter part of his majesty's letter, touching the informing of yourself of the fittest linguists within your diocese for to perform, and speedily to return that, which his majesty is so careful to have faithfully performed. I could wish your lordship, would, for my discharge, return me in some few lines, the time of the receipt of these letters, that I may discharge that duty, which his majesty, by these his letters, hath laid upon me: and so I bid your lordship right heartily farewell. From Fulham the 31st of July, M.DC.IV.

Your lordship's loving friend and brother,

R. LONDON.

Sede Cant.
vacante

Anno Christi
1604.

Reg. Angliae
JACOB. I. 2.

The bishop of London's letter about the expenses in translating the Bible. Reg. III.
Whitgift fol. 156.

"**S**ALUTEM in Christo." My very good lord, as touching that clause in his majesty's letter, which is referred to my relation, this it is: there are many, as your lordship perceiveth, who are to be employed in this translating of the Bible, and fundry of them must of necessity have their charges borne, which his majesty was very ready of his most princely disposition to have borne; but some of my lords, as things now go, did hold it inconvenient, whereupon it was left to me, to move all my brethren the bishops, and likewise every several dean and chapters, to contribute toward this work. Accordingly therefore to my duty, I heartily pray your lordship, not only to think yourself what is meet for you to give for this purpose, but likewise to acquaint your dean and chapter not only with the said clause of his majesty's letter, but likewise with the meaning of it, that they may agree upon such a sum, as they mean to contribute. I do not think that a thousand

marks will finish the work, to be employed as is afore said, whereof your lordship, with your dean and chapter, having due consideration, I must require you in his majesty's name, according to his good pleasure in that behalf, that as soon as possibly you can, you send me word, what shall be expected from you and your said dean and chapter; for I am to acquaint his majesty with every man's liberality towards this most godly work. And thus not doubting of your especial care for the accomplishing of the premises, and desiring your lordship to note the date to me of your receipt of this letter, I commit your Lordship unto the tuition of the almighty God. From Fulham this 31st of July, M.DC.IV.

Your lordship's very loving friend and brother,

R. LONDON.

Archiepisc. Cant.
RIC. BANCROFT I.

Anno Christi
1604.

Reg. Angliae
JACOB. I. 2.

The council's letter for proceeding against the nonconformitans of the clergy.
Reg. Bancroft fol. 127. a.

"**S**ALUTEM in Christo." I have received a letter from the lords of his majesty's most honourable privy council, whereof your lordship is to take notice, the copy whereof followeth word for word: After our hearty commendations to your lordship. Forasmuch as the time is now expired, which by his majesty's late proclamation, dated the sixteenth day of July last, was prescribed and limited to all those of the clergy, for the conforming of themselves unto the laws and orders of the church government established within this realm, that have heretofore, under a pretended zeal of reformation, but indeed of a factious desire of in-

novation, refused to yield their obedience and conformity thereunto; by means whereof, all such as persist in that wilful disobedience are subject to the penalty of deprivation from their benefices, and other church livings, of deposition from their ministry, and other censures of the church, which were as well at all times heretofore, as presently, in vigor and force; although his majesty maketh no doubt, but that your lordship throughout your province, and the rest of the bishops, every one in his own diocese, will have regard to the execution of the said laws and constitutions in such sort, as is meet and necessary for the uniformity of the church

church discipline; nevertheless such is the great care and zeal of his most excellent majesty, for a due proceeding to be had in a matter of so great consequence, as this is, of redressing and reforming all offensive and scandalous divisions in the church, as also to remove an illgrounded opinion and conceit, wherewith, as it seemeth, divers have nourished and flattered their own disobedience, presuming on a further enlargement of time and toleration, than hath been granted or is intended by his majesty; as we cannot omit both to assist your own readiness with our advice and concurrence of judgment, and that which is much more, to give you knowledge of the expectation his majesty hath of your proceedings herein. For although it be much more agreeable to his most gracious mind and clemency, to heal and cure such distemperatures by lenity and gentleness, than by severity; as hath well appeared by the conferences that his majesty heretofore hath ordained to be had in his own presence, by the course of advice and persuasion, that he hath prescribed to be holden by those, that are of chief place and authority in the church, and lastly by giving time and respite, more than once, unto such persons either misled or unresolved, to conform themselves upon better advisement; nevertheless his majesty is well pleased to have it known, that he is as far from alteration of his purpose to work an uniformity, as they are importunate in their unjust desire of innovation, and expecteth that from henceforth, without delay, where advice prevaieth not, authority shall compel, and that the laws shall be put in execution, where admonition taketh not effect; the penalty whereof they that will incur, must impute it unto their own obstinacy, being guilty of disobedience to his majesty, of uncharitableness unto any cure or charge that they have, and in dutifulness might hold, and to themselves for any grievance, or loss that they shall sustain; but as it is necessary, where unity is to be effected there men of unquiet and factious spirit should not have place; so because by the removing and displacing of them, opportunity and advantage may be taken by men of a corrupt mind and disposition (having the patronage and donation of some of the benefices so made void) to prefer ignorant and insufficient men into their places; his majesty therefore hath commanded us, in his name, to require you all, to take this especial charge upon you, that whosoever shall present any person to be admitted, not only in the rooms of any that shall be deprived, but in

all others, your lordship shall duly inform yourself of the party's learning and integrity and to be as well answerable for his sufficiency to instruct his people, as to be conformable to his laws; a matter wherein the dependency upon the judgment of inferior officers hath brought great inconveniences, and whereof more especial care would now be had, seeing divers turbulent persons have mixed their complaints with this affirmation, that the names of good and understanding ministers shall now be supplied with idle drones and dumb images; which great enormity, as his majesty himself should abhor more than any other, so he doubteth not but your lordship, and the rest, will be most careful to extirpate all scandal and peril of any such effects of his religious care and wise directions, of which we need to use no further enlargement. What we have written in the premises to your lordship, his majesty requireth you forthwith to impart by your letters to all the bishops of your province, charging them, as they will answer the contrary at their perils, to omit no occasion, diligence, and care, for the due execution of this charge and duty thus committed and commanded, in his majesty's name, unto them: and so we bid your lordship very hartily farewell. From Whitehall the tenth of December, M.DC.IV. Your very loving friends T. Ellesmere, can. T. Dorset, Lenox, Nottingham, Suffolk, Northumberland, E. Worcester, H. Northampton, Cranborne, E. Zouche, W. Knollys, E. Wotton, Jo. Stanhope, Jo. Herbert. Your lordship having perused this letter, cannot but greatly rejoice at his majesty's constant resolution, and most honourable inclination of their lordships; and I doubt not but you will with all care, faith, and diligence accomplish the effect thereof. I have furthermore sent you herewith, not without some direction, the manner of such proceedings with the obstinate of the ministry, as I think fit to be generally observed by your lordship, and the rest of our brethren; for it will much further the service committed unto us, if we concur together in that course. And so with my very hearty commendations, I commit your lordship unto the tuition of almighty God. At Lambeth the 22^d of December, M.DC.IV.

Your lordship's very loving friend and brother,

R. CANTUAR.

Archiepisc. Cant.
RIC. BANCROFT I.

Anno Christi
1604.

Reg. Angliae
JACOB. I. 2.

The archbishop of Canterbury's directions to the same purpose. Reg. Bancroft fol. 127. b.

"**S**ALUTEM in Christo." Your lordship perceiving his majesty's pleasure and constant resolution by the letter sent to me from the lords, I have thought good to advertise you of such a course, and uniform kind of proceeding with the disobedient and obstinate mini-

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sters, as I think fit to be observed by myself, by your lordship, and by the rest of my brethren, the bishops of this province.

Of such disobedient ministers some are already placed in the church, some are not; touching the second sort not placed, I doubt

5 M

not,

not, but that you will strictly observe the 36th and 37th canons made the last convocation, so as none of them be admitted hereafter to execute any ecclesiastical function without subscription, according to the tenor of the said canons: for the others already placed, as aforesaid, they are of two kinds, and might both of them, having heretofore subscribed, be (as revolvers from the same) by an ordinary course of justice, deposed from the ministry; the one offereth and promiseth conformity, but is as yet unwilling again to subscribe; the other in his obstinacy will be induced to yield to neither. Touching such as will be contented to observe the orders and ceremonies prescribed in the communion book, and fully to conform themselves accordingly to the use of their ministry; forasmuch as the near affinity between conformity and subscription doth give apparent hope, that being men of sincerity, they will in a short time frame themselves to a more constant course, and subscribe to that again, which they by their practice testify not to be repugnant to the word of God, your lordship may (an act being made to remain upon record of such their offer and promise) respite their subscription for some short time; advertising me of the names of every such person, with all convenient speed, that thereupon such further order may be taken, as shall be thought expedient in that behalf. Concerning those that utterly refuse both conformity and subscription, they are either curates, or stipendary preachers, commonly called lecturers, or men beneficed; for the two first, the interest they have in their places is only by license from their ordinary, and they are no longer to enjoy them "nisi quamdiu se bene gesserint", so as upon such their refusal, your lordship is to suspend them "ab officio;" which is in effect a deprivation to them, and consequently by the law they are not to be restored, until they shall both conform themselves and subscribe. As touching the third sort, for that it would not much trouble them, nor work the conformity that is desired, to put them to silence, if they might enjoy their benefices, because I suppose they have been heretofore particularly admonished by your lordship, but especially by his majesty's proclamation, dated the 16. of July, M.DC.IV. either to conform themselves to the church, and obey the same, or

else dispose of themselves and their families some other way, as being men unfit, for their obstinacy and contempt, to occupy such places, they are in another sort to be proceeded with; for in refusing to conform themselves to the use of the communion book, or in derogating or depraving any thing therein contained, or any part thereof, they fall within the compass of divers laws, and particularly of the statute "primo Elizabethae" entituled "An act for uniformity" etc. and so are subject to deprivation. I wish your lordship diligently to peruse the said act, being printed with the communion book, and for your better satisfaction herein, do advertise you, that the lord chief justice, and Mr. attorney general being conferred with, are very resolute, that you may lawfully, by virtue thereof, so proceed against such obstinate persons. The form, which is to be used in their deprivation, your chancellor very well knoweth; only let me put you in mind of the CXXII^d canon, that your lordship in your own person pronounce the sentence; and if any by you so deprived, shall appeal to me, I will be careful to execute the 98th constitution for stay thereof, until the party shall subscribe: not doubting but that his majesty, if there be cause, will take the like order for the delegates. Furthermore, if any of the said disordered persons shall willingly transgress any of the first twelve canons, or of the three last, let the penalty therein mentioned, be duly and respectively inflicted upon them. I have not hitherto greatly liked of any severe course; but perceiving by certain instructions lately cast abroad, that the present opposition so lately prosecuted, doth rather proceed from a combination of sundry factious, who in the pride of their mind are loath to be foyled (as they term it) than of any religious care or true conscience; I have thought it very necessary, for the repressing of such irregular designments, earnestly to commend to your lordship the careful execution of these directions. And so with my very hearty commendations, I commit your lordship unto the tuition of the Almighty. At Lambeth the 22. of December, M.DC.IV.

Your lordship's very loving friend and brother,

R. CANTUAR.

Archiepisc. Cant.
RIC. BANCROFT I.

Anno Christi
1604.

Reg. Angliae
JACOB. I. 2.

The archbishop of Canterbury's letter touching recusants. Reg. Bancroft 129. b.

"**S**ALUTEM in Christo." I have written to your lordship before concerning your proceeding with your factious ministers, and that you should not desist by depriving one, two, or three at once, untill you have purged your diocese of them; now I am to signify unto you, that his most excellent majesty hath, with the admiration of all that heard him, most fully, rarely, and resolutely declared himself (as often heretofore) touching such courses,

as he wisheth should be held with popish recusants, being most desirous to rid his kingdom as well of these pestiferous adversaries, as of the former; to which purpose he hath dealt very thoroughly and privily both with the lords of his right honourable privy council, and with his judges; expecting likewise that we, who are bishops, should not be negligent in discharging of our duties, so far as lieth in us, for the furthering and effecting of so royal and so religious a design.

designment. As therefore my place requireth, and not without due and careful deliberation, I do commend to your good lordship (as I also have done to the rest of our brethren) these particular points following to be thoroughly by you observed: first, your lordship is not to depend altogether upon the cxivth canon, expecting still the minister's diligence in presenting of recusants, but to use your own best endeavour, by the labour and means of all your officers and friends, to inform yourself as well of the number, as of the qualities of them; and the same to certify unto me with all convenient speed; secondly, because order and discretion in all proceedings are principally to be observed, (whereof without my advice, your lordship will be sufficiently mindful) and for that there being differences in the dispositions of the said popish recusants, and cannot all of them be reformed together, your lordship is to take notice by all the means before expressed, first, of all the recusants in your diocess, who they be, that are the most busy in seeking to seduce others either abroad, or at home to their own families, by bringing up their children in popery, and refusing to entertain any to serve them, especially in places of trust, that are not recusants; secondly, of all such persons of any note, who are become recusants, since his majesty's coming into England, and of them that are the most insolent, as the manner of those usually is, who are newly seduced; thirdly, these three observations thus premised, your lordship is to procure, as much as in you lieth, that for the faithful accomplishment of the lxvith canon, no pains may be spared in conferring with the said recusants, especially with the two sorts beforementioned, who are the heads and leaders of the rest, that thereby (if it be possible) they may be reduced from their errors, and no sweet or kind means omitted for the recovering of them to the truth; fourthly, in this conference you are to do your best for the reclaiming of those, that are already excommunicated in their private parishes, with whom (if such travail will nothing prevail) because it is either obstinately rejected, or wilfully contemned; then let them be publickly denounced in your cathedral church, for excommunicate persons, without any forbearance or partiality, according to the lxv. canon, if happily such a notorious punishment may be a means to bring them to repentance; fifthly, if you have in your diocess sundry of the first sort, of the said busy and seducing recusants, not yet excommunicated (with whom conference will prevail no more, than with the former beforementioned) then call two or three of the chiefest of them (for dignity, place, and perverseness, such as are heads and leaders of the rest) forthwith by your ordinary authority; and if either they will not appear, after sufficient admonition to be carefully executed, so as they may not plead any probable ignorance, or appearing, shall obstinately refuse to go to church (as our phrase is) let them be "in scriptis" excommunicated, and after forty days certified unto the

chancery. This direction, touching the said first sort, will serve for the second, such as are of latter years revolted; sixthly, of those that before stood excommunicated, and so have been publickly denounced according to the said canon, if there be amongst them any of the said two sorts, then let two or three of the principal-
lest of them, as is aforesaid, that have stood excommunicated forty days, be presently certified unto the said court. And for your better encouragement herein, if you shall advertise me of any such certificate, I will use my uttermost endeavour to procure the writ "De excommunicato capiendo," and take such order as that the same shall be faithfully and speedily served; that so they, who have not learned how to use their former liberty, may be better instructed by chastisement in prison. Your lordship knoweth, that the people are commonly carried away by gentlemen recusants, landlords, and some other ringleaders of that sort, so as the winning or punishing of one or two of them is a reclaiming, or kind of bridling of many, that do depend upon them; which hath induced me to prescribe to your lordship by the directions precedent such a moderation and course, as I think fit to be generally pursued; hoping that when they, who have been seduced under pretence of toleration, or I know not what vain imagined thing, shall hereby find that such disobedient persons are no longer to be borne with, but that the laws, made in that behalf, are carefully to be executed, they will be better advised, and reform themselves; and that the rest of such simple people will be more heedful hereafter, that they be not misled and carried away by lewd persuasions of any person whatsoever; lastly, we that are bishops, being all of us (as is supposed) justices of the peace, it is much marvelled, that so many priests and Jesuits range about in our diocesses, without any impeachment or regard almost had of them; we ourselves seldom or never seeking after them; it is said, that our remissness therein doth discourage the rest of the justices of peace from taking such pains in that behalf, as heretofore they have been accustomed, and that they would be as ready as they were to join with us in that service, if they might see our willingness thereunto, either by effecting something ourselves, or by our intelligence (having all the ministers of our diocese at our commandment) would give them our best directions, where those impostors might be met with, and apprehended. These things, I fear, may justly be objected against some of us; and I am driven now and then into some straits, how to excuse such our security; I do therefore very heartily pray your lordship, to think thereof, not that I have any cause to suspect you to be one of the number (if I shall speak properly) but rather to inform you, what is expected at our hands, that with better discouragement we may therein discharge our duties. And thus not doubting, but that your lordship will have due regard both of this last point, and likewise of all the premises, and letting you understand, that I keep the copy of this

this my letter, that if any of our brethren shall neglect them, or any part of them, I may have the same for my discharge, and every one of us be driven to bear his own burthen; I commit your lordship, with my hearty commendations, unto the tuition of almighty God. From Lambeth the twelfth of March, M.DC.IV.

Your lordship's very loving freind and brother,

R. CANTUAR.

Postscript: After I had written this letter, I received, upon occasion, this direction from his majesty, that when your lordship depriveth any of your factious ministers for their obstinacy, you shall take such order with the next incumbent, as that the party so deprived may have two or three months liberty to remain still in the parsonage or vicarage house, if he have no other of his own; that so he may have that time to provide for himself, and not be thrust out into the streets upon a sudden.

Archiepisc. Cant.
RIC. BANCROFT I.

Anno Christi
1605.

Reg. Angliae
JACOB. I. 3.

Convocatio praelatorum et cleri provinciae Cantuar. Ex MS. Mil. Smith apud episc. Thom. Assaven.

CONVOCATIO praelatorum et cleri provinciae Cantuar. per breve regium ad 4. diem mensis Octobris prorogata, per aliud ad 6. diem Novembris continuata fuit. In hac archiepiscopus doctorem J. Overall, decanum S. Pauli, prolocutorem commendat, in loco doctoris Ravis, jam episcopi Glocestrensis, substituendum, qui tertia sessione (Jan. 22.) in ecclesia B. Petri Westm. praesentabatur. In quarta hujus synodi (Jan. 24.) sessione "the archbishop delivered a book drawn up concerning the state of the church; desires both houses to take copies, and consult about it."

In proxima sessione archiepiscopus licentiam

regiam canones ecclesiasticos componendi cum synodo communicabat.

In 12. sessione "the lower house called up one Cartwright, who having killed a clergyman and obtaining the king's pardon, begs pardon and absolution of the bishops; but not having the king's pardon there, he was dismiss'd to a further consideration of his petition."

In 19. sessione et aliis sequentibus de quatuor domino regi dandis subsidiis tractatum fuit, et nihil per quatuor vel quinque alias sessiones actum est, praeterquam de suspensione contumacium, cujus formulam infra videbis.

Actus ad procedend. contra clericos non observantes formam libri communium precum in dioec. Exon. Ex reg. Bancroft. fol. 190. a.

DIE Sabbati, tricesimo videlicet die mensis Martii, anno Domini M.DC.V. coram reverendo in Christo patre ac domino, domino Richardo, providentia divina Cant. archiepiscopo, totius Angliae primate et metropolitano, in musaeo ejusdem reverendissimi patris infra manerium suum de Lambeth, etc. in praesentia mei, Johannis Coston, notarii publici, etc.

Quibus die et loco praefatus reverendissimus in Christo pater, ex certis causis eum, ut asseruit, specialiter moventibus, licentiam et facultatem concessit reverendo in Christo patri, domino Willelmo, Exon. episcopo, et magistro Evano Morrice, vicario in spiritualibus generali dicti reverendi patris, conjunctim et divisim, una cum duobus vel tribus aliis discretis viris, verbi Dei ministris, ad voluntatem ejusdem reverendi patris eligend. et sibi associand. juxta constitutiones, ultima convocatione, auctoritate regia stabilitas, ad evocand. inquirend. et juxta

juris exigentiam procedend. contra quoscunque clericos et ecclesiae ministros, in sacris ordinibus constitutos, infra civitatem et dioecesin Exon. degentes, quoad reformationem eorum excessum in non conformando semetipsos ritibus et ceremoniis ecclesiae Anglicanae, et formae celebrationis divinatorum, ac administrationi sacramentorum in libro communium precum, auctoritate regia stabilita, descriptis, et observationi ejusdem libri, etiam usque ad a beneficiis eorundem deprivationem, si facti atrocitas ita poposcerit, ac etiam contra eos (uti vocant) recusantes juxta tenorem literarum missivarum ejusdem reverendissimi patris alias eidem reverendo patri direct. inhibitionibus pro visitatione metropolitana, auctoritate ejusdem reverendissimi patris infra eandem civitatem et dioecesin Exon. exercend. alias emanatis, et debite executis in contrarium facientibus non obstant. quibuscunque et non aliter neque alio modo.

Licentia procedendi contra ministros non observantes ritus et ceremonias ecclesiae. Ibid. fol. 202. a.

DIE Mercurii, decimo septimo videlicet die mensis Aprilis, anno Domini M.DC.V. coram reverendissimo in Christo patre et domino, domino Richardo, providentia divina Cant. archiepiscopo, totius Angliae primate et metropolitano, in musaeo ejusdem reverendissimi pa-

tris infra manerium suum de Lambeth in praesentia mei, Johannis Coston, notarii publici, etc.

Cum tam de jure, quam consuetudine ecclesiae metropolitanae Christi Cant. archiepiscopi Cant. eorum successive temporibus existentes, in primo

primo ingressu in dictum archiepiscopatum, suffraganeos suos episcopos suae Cant. provinciae metropolitanae visitare consuevere; cum reverendissimus in Christo pater dominus Richardus, divina providentia Cant. archiepiscopus, totius Angliae primas, et metropolitanus modernus, nonnullos suffraganeos suos episcopos, ecclesias, et dioeceses infra eandem suam Cant. provinciam jure metropolitico (annuente Domino) visitare propediem proposuerit, eaque ratione reverendo confratri suo domino Antonio, Cicestren. episcopo, ac officariis, et ministris suis inhiberi mandaverit et fecerit, ne pendente visitatione metropolitana praedicta, jurisdictionem aliquam ecclesiasticam, aut quicquam aliud in praesudicium visitationis suae metropolitanae hujusmodi quovismodo attentent, seu attentari faciant, sub poena contemptus, prout ex tenore dictarum literarum inhibitoriarum plenius liquet et apparet; praefatus tamen reverendissimus archiepiscopus, ex certis causis eum specialiter in ea parte moventibus, modo et forma infra scriptis, et non aliter, neque alio modo, dictas literas inhibitorias relaxand. fore duxit, licentiamque et potestatem, quantum in eo est, et jura regni patiuntur, concessit praefato reverendo in Christo patri, domino Antonio, Cicestren. episcopo, et magistro Johanni Drurie, legum doctori, vicario in spiritualibus generali dicti reverendi patris, conjunctim et divisim, una cum duobus vel tribus aliis discretis viris, verbi Dei ministris

ad voluntatem ejusdem reverendi patris eligendi, et sibi associandi, juxta constitutiones ultima convocatione regia auctoritate stabilitas, ad evocand. inquirend. et juxta juris exigentiam libere et licite procedendum, contra quoscunque clericos et ecclesiae ministros, in sacris ordinibus constitutos, infra civitatem et dioec. Cicestren. degentes, quoad reformationem eorum excessuum in non conformando semetipsos ritibus et ceremoniis ecclesiae Anglicanae, et formae celebrationis divinorum, ac administrationi sacramentorum, libro communium precum auctoritate regia stabilita descriptis, et observationi ejusdem libri, etiam usque ad a beneficiis eorundem inclusive deprivationem, juxta juris formam et canonis in ea parte editi exigentiam (si facti atrocitas ita poposcerit) ac etiam contra quoscunque dictae dioec. subditos, qui ecclesias suas parochiales ad audienda divina frequentare, et in eadem ecclesia eucharistiam recipere recusant, seu denegant, juxta jura et statuta in ea parte edita et provisa (inhibitionibus pro visitatione metropolitana, auctoritate ejusdem reverendissimi patris infra easdem civitatem et dioecesim Cicestren. exercenda, alias emanatis et debite executis, et visitatione metropolitana ejusdem reverendissimi patris pendente in contrarium facientibus non obstantibus quibuscunque) quas, quoad praemissa tantum ad omnem juris effectum relaxavit in hiis scriptis, et non aliter neque alio modo.

Archiepisc. Cant.
RIC. BANCROFT I.

Anno Christi
1605.

Reg. Angliae
JACOB. I. 3.

The archbishop of Canterbury's letter touching double benefices. Reg. Bancroft
fol. 131. b.

"**S**ALUTEM in Christo." His majesty hath commanded me to procure, with all convenient speed, a true and exact relation of the names of all such persons, as do hold at this present two or more ecclesiastical preferments, whether they be with cure or without cure; I do therefore very heartily pray your lordship, and withal require you in his majesty's name, to send unto me, as soon as possible you can, the several names of every one within your dioecese, who is so preferred, together with the names of the benefices, prebends, dignities, and donatives, whereof they are possessed. Your lordship shall find some that have but one living in your dioecese, who have notwithstanding a second living in another dioecese, and thereof I desire you also to certify me with the names of the living, where it is; your lordship's chancellor, your archdeacons, and your register can presently (I hope) give you full notice of the premises, or if they cannot, you must send for them out of hand, and command them in his majesty's name, forthwith to inform themselves therein, that so from your lordship I may, with all convenient speed, have notice thereof. In your lordships relation to be sent unto me, I wish this order to be observed; First, Set down your dean, with the names of all his several preferments, the dioeceses where they lie, and

the distance of miles betwixt such benefices, as he holdeth with cure; and so in order downwards, your archdeacons, your doctors of divinity, your batchelors of divinity, your masters and batchelors of arts, your civil lawyers, with their degrees, and those that have no degree at all, with their several livings, if they have above one of any nature whatsoever (being ecclesiastical preferments) with their names and distances, as is beforementioned. Your lordship shall find no difficulty in the performance of this, which is required, saving as touching those in your charge, that have livings elsewhere; and yet you shall easily overcome it by the diligence of your officers. It would be a long and a tedious work first for your lordship, and so every of our brethren the bishops, to advertise me of every one, who hath any ecclesiastical living, and then for me by reading of them altogether to observe, who hath two, three, etc. and besides displeasing to his majesty, who expecteth a more speedy certificate, which I do again mention, the rather to quicken your lordship's industry and pains in this a more speedy course. Again, I know not how it cometh to pass, but his majesty is informed, that such as have divers ecclesiastical livings, are very negligent not only in forbearing themselves to preach at any of them, or at least in preaching

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ing very seldom, but likewise in supplying their own absence with very insufficient curates, either no preachers at all, or men very meanly qualified, and yet by means licensed to preach of purpose to stop that gap. I would your lordship had been present, and heard his majesty discourse thereof, and what grief he conceiveth, that men whom he so greatly favour-eth, and whose estates he so much endeavour-eth to maintain and support, should so greatly forget themselves, and neglect his majesty's most princely and religious desire, there being no one thing in the world which he more wisheth from his heart, than that his people should be instructed in the fear of God, and that they, who are possessed of divers livings, according to their former deserts, and for the countenancing of their degrees (having so many enemies that repine and bark at such their preferments) should discharge their duties with all faithfulness, to the comfort of their own consciences, and the preventing of all such exceptions; but the issue was this, that I should write to all the bishops of both provinces, and charge them in his majesty's name, that as they tender his most princely favour towards them, and as they will answer the contrary at their perils, presently they endeavour by all means to inform themselves, as well concerning the preaching of such, that have two benefices in their own persons, as also the sufficiency of their curates, and that they admonish such as they find any way defective in either, speedily to reform the same. How this general direction touched your lordship, you in your wisdom do very well perceive, and I doubt not but that you will accomplish the same for your part of it, according to his majesty's expectation; and that your lordship may be the better furnished with arguments, besides those, which are before mentioned, to persuade such of your clergy as you shall find to be within the compass of his majesty's said reprehension, to amend with all speed that which is amiss; there are two formerly resolved upon, in his most royal judgment and princely determination, which you

are to acquaint them with, as there shall be cause: First, their dispensations (if no present amendment ensue) are to be called in question, and secondly, if any of them have any insufficient curates, and will not upon your lordship's admonition presently procure better, to your lordship's contentment, such as you yourself will answer for; then it is his majesty's pleasure, that you write unto me thereof, and that I and other my brethren, by virtue of his majesty's commission for causes ecclesiastical, calling every such person before us, who will not conform himself accordingly, shall out of hand appoint such a stipend, out of his living, as shall be fit to maintain an able and sufficient curate, to supply his absence and negligence, whilst the validity of his dispensation shall be in discussing. I trust (the late canons considered) that his majesty hath received more sharp informations, than will fall out upon your lordship's trial to be true, but his remembrance of the late session of parliament, and his desire to have all calumniators prevented in the next, which ensueth, do make his majesty exceeding earnest in these points; and therefore his further commandment is, that you shall not only inform yourself, and do as is aforesaid, but likewise write unto me in the mean time, to be imparted to his majesty, concerning the truth of the said information, which hath begotten and brought forth these his most princely cogitations and directions. And thus hoping that when we of the clergy are refined, there will some course be taken for such as have all the best ecclesiastical livings in the land, named impropriations, and yet make no conscience in suffering them to be served with very simple curates, God knoweth, such as will be content in effect to serve the same (as the disdainful speech of many runneth) for ten groats a year and a canvas dublet; I commit your lordship to the tuition of almighty God. At Lambeth the 30th of April, M.DC.V.

Your lordship's loving brother and assured friend.

Archiepsic. Cant.
RIC. BANCROFT I.

Anno Christi
1605.

Reg. Angliae
JACOB. I. 3.

The archbishop of Canterbury's mandate and commission for the visitation of the diocese of Bath and Wells. Reg. Bancroft fol. 181. b.

"**S**ALUTEM in Christo." Mr. Doctor James, I have made choice of you to be a commissioner in this my visitation within the diocese of Bath and Wells, wherein there be divers things of weight to be considered, the burthen whereof I must specially lay upon you. For albeit I doubt not, but the rest of my commissioners will be ready to join with you, as occasion shall be offered, yet I must look for an accompt of these things at your hands alone, being specially appointed for the ordering and censuring of such misdemeanors, as shall be presented unto you, according to the tenor of my commission; and therefore, as I do desire,

that you should have care to see all the canons and constitutions published by his majesty's authority to be carefully and diligently observed; so in particular, I do require you to see that the 43, 44, 45, 46, 47, the 59 and the 74 canons be truly and thorowly put in execution, all of them, concerning the increase of the preaching of the word of God; the catechising and instructing of the younger sort in the principles and grounds of christian religion; the sober and discreet carriage of the ministers and preachers; and the means to meet with and prevent that so much spoken against non-residency, the defects whereof you know have been

been often, and so violently complained of in parliament. And therefore I must desire, that these things which are now so well ordered and settled by authority, may with all diligence be put in execution, and so I doubt not but it will give full satisfaction to all men of moderate and reasonable affections; and if you and others, whom it concerneth, will do that herein which is fit, I shall be the better able to answer for us all in parliament, when occasion shall be offered.

Further you know that there hath been many complaints against the taking of greater fees in ecclesiastical courts, than were fit, against the number of apparitors, and the offensive proceeding of office by inferior officers and their deputies; all which being now ordered by special constitutions, I do require you diligently to enquire of the offenders against any of them, and especially to foresee that no other, or greater fees be taken by any, of what quality soever, in this my visitation, than the table for your own diocese will warrant; wherein if any shall be found contemptuous or disobedient, those I would have you to make known unto myself, that their punishments may be made examples

unto others. And above the rest, I would have you to look into peculiars and exempt jurisdictions, where many recusants of both sorts (as I am credibly informed) do remain, where many most ungodly and unlawful marriages are celebrated, and where many notorious and most lewd offenders are harboured and protected. I will leave the care of collecting my procurations unto yourself, or to such as you shall appoint thereunto; and lastly, tho' in my commission for the visitation I have been contented to name divers associates unto you; my meaning is not thereby to burthen the country with all their travel at once, but do leave it to your discretion, so to sort them, as that in every place where you shall sit, one or two of those ministers, whom I have therein named, and who are nearest to the places, where your sessions are kept, may accompany you. So nothing doubting of your best endeavour in this service, I bid you heartily farewell. From Lambeth the 28th day of May, M.DC.V.

Your very loving friend,

R. CANT.

Archiepsc. Cant.
RIC. BANCROFT I.

Anno Christi
1605.

Reg. Angliae
JACOBI. 3.

Articles for the cathedral church of Wells, to be enquired of in his grace's metropolitanical visitation, etc. Reg. Bancroft fol. 181. a.

IN PRIMIS, Whether every member of this church, at his first admission, doth swear to observe such statutes, as have been hitherto used as statutes, and not contrary to the laws of the realm of England?

II. Item, What other benefices ecclesiastical the dean, archdeacons, prebendaries, or other ecclesiastical persons of this church have, besides their rooms and places in this said church?

III. Item, How the 42, 43, and 44 chapters of the constitutions made the last convocation anno M.DC.IV. and confirmed by his majesty under the great seal of England, for the residencies of your dean and other prebendaries, as well upon their prebends, as upon their other benefices, are observed?

IV. Item, Whether the number of those that serve the quire, and all other ministers of this church, be kept full, and the quire sufficiently furnished with able singers, and daily service there sung according to the foundation of this church?

V. Item, Whether your divine service be used, and the sacraments administered in due time, and according to the book of common prayer, and by singing and note according to the statutes of this church?

VI. Item, Whether all the members of your church, especially the prebendaries and ecclesiastical persons, do use seemly garments and attires, as namely all graduates their surplice and hood for their degree of school, and other inferiors their surplice and cap, according to the canons and constitutions set forth by his

majesty in the last convocation in "anno Domini" M.DC.IV.

VII. Item, Whether the prebendaries and preachers of your church do preach yearly the full number of sermons appointed by the statutes and ordinances of the said church, and the late constitutions ecclesiastical, in their own persons, or by others; and who doth most usually preach them; and how often have you sermons or lectures in the week in the cathedral church, and by whom, and what be the statutes of this church, in that behalf?

VIII. Item, whether the muniments and evidences of this church be safely kept; of what persons is the foundation of your cathedral church; namely of how many prebendaries, canons, petitcanons, vicars choral, choristers, virgers, grammar schoolmaster, and scholars, or other like; and who is bound to maintain and find them; and are they at this present full, and serve the church in their own persons, as by the law they ought to do?

IX. Item, Whether the choristers be well ordered, and the number of them furnished, and who hath the charge of catechising, and instructing of them in the principles of religion; and whether are they so brought up?

X. Item, Whether the officers of this church, namely, steward, treasurers, bursters, accomptants, and such like, do yearly make a true accompt of their receipts, and pay such money as is due to the church upon their accompts; and whether any such person be now indebted to the church, and in how much?

XI. Item,

XI. Item, Whether the cathedral church be sufficiently repaired both in the body, chancel, and all other isles and places belonging to the church; and by whose default it is unrepaired, and who ought to repair it?

XII. Item, Whether the prebendaries, and other the preachers of this church, in their sermons, do use to pray for the king's majesty, the queen, prince, and all his highness's issue; and to give unto his highness in their prayer, according to the late constitutions, his whole stile, and so do pursue the particulars in the said constitution appointed for that end to

be observed?

XIII. Item, Whether there be within this church, or the precincts and limits thereof, any usurers, contrary to the statutes in that behalf made, drunkards, adulterers, fornicators, incestuous persons, simonists; open recusants of either sort, or such as neglect to repair to the church to service, or do not receive the communion thrice yearly, or are vehemently suspected of any of the crimes aforesaid, or any that be familiarly and daily conversant with recusants, or notorious papists, or harbourers and receivers of any such into their houses?

Archiepisc. Cant.
RIC. BANCROFT I.

Anno Christi
1605.

Reg. Angliae
JACOB. I. 3.

A Proclamation against certain calumnious surmises concerning the church government of Scotland.

WHEREAS we have, ever since it pleased God to establish us in the imperial crown of Great Britain, equally regarded the good of both the late kingdoms of Scotland and England, now happily united in our royal person in one monarchy, ever minding to maintain and continue the good and lawable customs and laws, whereby each of them hath been these many ages so worthily governed; nevertheless some malicious spirits, enemies to that common tranquillity so much desired by us (forgetting the many proofs both public and private, which we have given of that our gracious affection to that our native and ancient country of North-Britain, of the freedom, liberty, and privileges whereof we have at all occasions taken so special a patrociny, as the solemn assemblies of the estates of South Britain, and commissioners from the estates of both kingdoms have been eye witnesses) have not been ashamed to labour to pervert the minds of our best affected subjects; that whereas the insolent and factious carriage of some of them hath merited most severe animadversion, they would insinuate themselves in the commiseration of the multitude, by assuming unto them a glorious profession of the maintaining of the privileges and authorized discipline, intended by us (as they affirm) to be utterly overthrown by a sudden and unseasonable laying upon them at this present the rites, ceremonies, and whole ecclesiastical order established in the church of this part of our kingdom of Britain. And as we have ever carefully regarded, how convenient it is to maintain every country in that form of government, which is fittest and can best agree with the constitution thereof, and how dangerous alterations are without good advice and mature deliberation, and that even in matters of order of the church, in some small islands under our dominions, we have abstained from suffering any alteration; so doubt we not, but our good subjects will never be thus credulous contrary to the known truth, which hath ever appeared clearly in all our actions, as to be in any doubt, but as in all our proceedings we have been a patron of religion and justice (two inseparable

conservers of all monarchies) so hath all our study and care ever been to retrench and reform all courses, that carried any prejudice to that integrity, whereat we have ever aimed: and as by so many good laws set forth in our government, justice hath attained to another perfection and splendor, than it had in any our predecessors times, and with painful and unpleasant business, we have in the discipline of the church taken away innumerable abuses and corruptions, which, if they had not been remedied, had brought the purity of religion in extream danger; yet we hope that none dare be so impudent as to affirm, that by our sovereign power, or absolute commandment we did the same (although we enjoyed our authority as freely as any king or monarch of the world) but as the disease of the civil body was ever cured by the advice of our three estates, so the defects of the church by the help and counsel of those who had greatest interest in them, so as the presumption of our by-gone actions in our administration, whilst we were present, the proof of our fatherly care towards this part of our kingdom since our residence here, may be sufficient to secure us against all such malicious calumniations. And however in rule of policy we cannot but judge it convenient that two estates so inseparably conjoined, should be drawn to as great conformity in all things, as the good of both may permit; and that no monarchy either in civil or ecclesiastical policy hath yet attained to that perfection, that it needs no reformation, or that infinite occasions may not arise, whereupon wise princes will foresee for the benefit of their states, just cause to alteration; yet are we and have ever been resolved, not to make any sudden or hasty change in the government of that part of our kingdom, either civil or ecclesiastical, but with grave advice and consent of our estates, and the wisest and best sort of them, whom it most properly concerns; much less to trouble them with any unnecessary alteration of indifferent and ceremonial matters, and that upon such foreseen advantages, and prevention of confusion and evil to come, as the greatest enemies of all peace;

Proclamation about the church government of SCOTLAND. 417

peace, obedience to princes, and order in all governments shall not obtrude any inconvenience to the contrary. And as by God's holy assistance we have drawn that part of our kingdom out of infinite troubles, factions, and cruel barbarities, and reduced the uttermost borders and confines thereof to God's obedience and acknowledging of our laws (an estate never heard of before, since this island hath been inhabited) so by the same divine providence and our fatherly care over the whole island, we intend to transmit the same in good order, happy quietness, and flourishing policy to that posterity, wherewith God hath blessed us, and af-

ter them to the world's end; like as for the more verification of our honourable intention, and to stop the mouths of these unquiet spirits, raisers of that false scandal of alteration, we have appointed a general assembly to be holden at "Dundee" the last Tuesday of July, whereat we expect reparation of those disorders in so far as belongeth to their censure, and to be freed in time coming of all such calumnies. Given at our honour of Hampton court the 26. day of September in the third year of our reign of great Britain, France, and Ireland. Anno Domini M.DC.V.

Archiepisc. Cant.
RIC. BANCROFT I.

Anno Christi
1605.

Reg. Angliae
JACOB. I. 3.

Certain articles of abuses, which are desired to be reformed in granting of prohibitions; exhibited by Richard Bancroft, archbishop of Canterbury, in the name of the whole clergy to the lords of the privy council. Coke's II. Institut. fol. 601. seqq.

I. "HIS majesty hath power to reform abuses in prohibitions." The clergy well hoped, that they had taken a good course in seeking some redress at his majesty's hands concerning fundry abuses offered to his ecclesiastical jurisdiction, by the over frequent and undue granting of prohibitions; for both they and we supposed (all jurisdiction both ecclesiastical and temporal being annexed to the imperial crown of this realm) that his highness had been held to have had sufficient authority in himself, with the assistance of his council, to judge what is amiss in either of his said jurisdictions, and to have reformed the same accordingly; otherwise a wrong course is taken by us, if nothing may be reformed, that is now complained of, but what the temporal judges shall of themselves willingly yield unto. This is therefore the first point, which upon occasion lately offered before your lordships by some of the judges, we desire may be cleared, because we are strongly persuaded, as touching the validity of his majesty's said authority, and do hope we shall be able to justify the same, notwithstanding any thing that the judges or any other can alledge to the contrary.

II. "The forms of prohibitions prejudicial to his majesty's authority in causes ecclesiastical." Concerning the form of prohibitions, forasmuch as both the ecclesiastical and temporal jurisdictions be now united in his majesty, which were heretofore "de facto" though not "de jure" derived from several heads, we desire to be satisfied by the judges, whether, as the case now standeth, the former manner of prohibitions heretofore used importing an ecclesiastical court to be "aliud forum a foro regio," and the ecclesiastical law not to be "legem terrae," and the proceedings in those courts to be "contra coronam et dignitatem regiam," may now without offence and derogation to the king's ecclesiastical prerogative be continued, as though either the said jurisdictions remained now so distinguished and severed, as they were before, or that the laws ecclesiastical, which we

put in execution, were not the king's and the realm's ecclesiastical laws, as well as the temporal laws.

III. "A fit time to be assigned for the defendant, if he will seek a prohibition." As touching the time when prohibitions are granted, it seemeth strange to us, that they are not only granted at the suit of the defendant in the ecclesiastical court after his answer, whereby he affirmeth the jurisdiction of the said court, and submitteth himself unto the same, but also after all allegations and proofs made on both sides, when the cause is fully instructed and furnished for sentence; yea after sentence, yea after two or three sentences given, and after execution of the said sentence or sentences, and when the party for his long continued disobedience is laid in prison upon the writ of "De excommunicato capiendo;" which courses, forasmuch as they are against the rules of the common law in like cases, as we take it, and do tend so greatly to the delay of justice, vexation and charge of the subject, and the disgrace and discredit of his majesty's jurisdiction ecclesiastical, the judges, as we suppose, notwithstanding their great learning in the laws, will be hardly able in defence of them to satisfy your lordships.

IV. "Prohibitions unduly awarded heretofore in all causes almost of ecclesiastical cognizance." Whereas it will be confessed, that causes concerning testaments, matrimony, benefices, churches, and divine service, with many offences against the I. II. III. IV. V. VII. IX. and X. commandments, are by the laws of this realm of ecclesiastical cognizance; yet there are few of them, wherein fundry prohibitions have not been granted, and that more ordinarily of latter times, than ever heretofore; not because we, that are ecclesiastical judges, do give greater cause of such granting of them, than before have been given, but for that the humour of the time is grown to be too eager against all ecclesiastical jurisdiction. For whereas (for example's sake) during the reign of the late queen

of worthy memory, there have been 488. prohibitions, and since his majesty's time 82. sent into the court of the arches; we humbly desire your lordships, that the judges may be urged to bring forth one prohibition of ten, nay, the twentieth prohibition of all the said 48. and but 2. of the said 82. which upon due considerations with the libels in the ecclesiastical court, they shall be able to justify to have been rightly awarded: we suppose they cannot; our predecessors and we ourselves have ever been so careful not to exceed the compass and limits of the ecclesiastical jurisdiction; which if they shall refuse to attempt, or shall not be able to perform, then we refer ourselves to your lordships wisdoms, whether we have not just cause to complain, and crave restraint of this overlavish granting of prohibitions in every cause without respect. That which we have said of the prohibitions in the court of the arches, we verily persuade ourselves may be truly affirmed of all the ecclesiastical courts in England, which does so much the more aggravate this abuse.

V. "The multiplying of prohibitions in one and the same cause, the libel being not altered." Although it hath been anciently ordained by a statute, that when a consultation is once duly granted upon a prohibition made to the judge of holy church, the same judge may proceed in the cause, by virtue of that consultation, notwithstanding any other prohibition to him delivered, provided that the matter in the libel of the same cause be not engrossed, enlarged, or otherwise changed; yet notwithstanding prohibitions and consultations in one and the same cause, the libel being no ways altered according to the said statute, are lately so multiplied, as that in some one cause, as aforesaid, two, in some three, in some other six prohibitions, and so many consultations have been awarded, yea, divers are so granted out of one court. As for example, when after long suit a consultation is obtained, it is thought a sufficient cause to send out another prohibition in revocation of the said consultation, upon suggestion therein contained, that the said consultation "*minus commode emanavit*". By which pretty device the judges of those courts, which grant prohibitions, may, notwithstanding the said statute, upon one libel not altered, grant as many prohibitions as they list, commanding the ecclesiastical judges in his majesty's name, not to proceed in any cause, that is so divers times by them prohibited; whereby the poor plaintiffs do not know, when their consultations, procured with great charge, will hold, and so finding such and so many difficulties, are driven to go home in great grief, and to leave the causes in Westminster hall, the ecclesiastical judges not daring to hold any plea of them. Now may it please your lordships, the premises being true, we humbly desire to hear, what the judges are able to produce for the justifying of these their proceedings.

VI. "The multiplying of prohibitions in divers causes, but of the same nature after consultations formerly awarded". We suppose,

that as well his majesty's ecclesiastical jurisdiction, as also very many of his poor but dutiful subjects are greatly prejudiced by the granting of divers several prohibitions and consultations in causes of one of the same nature and condition, and upon the self same suggestions. For example, in case of beating a clerk, the prohibition being granted upon this suggestion, that all pleas "*de vi et armis*" belong to the crown, etc. notwithstanding a consultation doth thereupon ensue; yet the very next day after, if the like suggestion be made upon the beating of another clerk, even in the same court another prohibition is awarded. As also where 570. prohibitions have been granted since the late queen's time into the court of arches, as before is mentioned, and but 113. consultations afterwards upon so many of them obtained; yet it is evident by the said consultations, that in effect all the rest of the said prohibitions ought not to have been awarded, as being grounded upon the same suggestions, whereupon consultations have been formerly granted: and so it followeth, that the causes, why consultations were awarded upon the rest of the said prohibitions, were for that either the plaintiffs in the court ecclesiastical were driven for saving of further charge to compound, to their loss, with their adversaries, or were not able to sue for them; or being able, yet through strength of opposition against them, were constrained to desist; which is an argument to us, that the temporal judges do wittingly and willingly grant prohibitions, whereupon they know beforehand, that consultations, are due: and if we mistake any thing in the premises, we desire your lordships, that the judges, for the justification of their courses, may better inform us.

VII. "New forms of consultations, not expressing the cause of the granting of them". Whereas upon the granting of consultations, the judges in times past did therein express and acknowledge the causes so remitted to be of ecclesiastical cognizance, which were precedents and judgments for the better assurance of ecclesiastical judges, that they might afterward hold plea in such cases, and the like; and were also some barr as well to the temporal judges themselves, as also to many troublesome and contentious persons from either granting or seeking prohibitions in such cases, when so it did appear unto them upon record, that consultations had been formerly granted in them; they the said temporal judges have now altered that course, and do only tell us, that they grant their consultations "*certis de causis ipsos apud Westm. moventibus*", not expressing the same particularly according to their ancient precedents. By means whereof the temporal judges leave themselves at liberty without prejudice, though they deny a consultation; at another time upon the same matter contentious persons are animated, finding no cause expressed, why they may not at another time seek for a prohibition in the same cause, and the ecclesiastical judges are left at large to think what they list, being no way instructed, of the nature of the cause, which

which procured the consultation: the reason of which alteration in such consultations, we humbly intreat your lordships, that the judges, for our better instruction, may be required to exprefs.

VIII. "That consultations may be obtained with less charge and difficulty." The great expenses and manifold difficulties in obtaining of consultations are become very burthensome to those that seek for them; for now a days through the malice of the plaintiffs in the temporal courts, and the covetous humours of the clerks, prohibitions are so extended and enlarged, without any necessity of the matter (some one prohibition containing more words and lines, than forty prohibitions in ancient times) as by means thereof the party in the ecclesiastical court, against whom the prohibition is granted, becomes either unwilling or unable to sue for a consultation, it being now usual and ordinary, that in the consultations must be recited "*in eadem verba*" the whole tenour of the prohibition, be it never so long; for the which (to omit divers other fees which are very great) he must pay for a draught of it in paper 8 d. the sheet, and for the entry of it 12 d. the sheet. Furthermore the prohibition is quick and speedy; for it is ordinarily granted out of court by any one of the judges in his chamber, whereas the consultation is very slowly and hardly obtained, not without (oftentimes) costly motions in open court, pleadings, demurrers, and sundry judicial hearings of both parties, and long attendance for the space of two or three, nay sometimes of eight or nine years before it be obtained. The inconvenience of which proceedings is so intolerable, as we trust such as are to grant consultations, will by your lordships means not only do it expeditely, and moderate the said fees; but also reform the length of the said consultations, according to the forms of consultations in the register.

IX. "Prohibitions not to be granted upon frivolous suggestions". It is a prejudice and derision to both his majesty's ecclesiastical and temporal jurisdictions, that many prohibitions are granted upon trifling and frivolous suggestions, altogether unworthy to proceed from the one, or to give any hindrance or interruption to the other; as upon a suit of tithes brought by a minister against his parishioner, a prohibition flieth out upon suggestion, that in regard of a special receipt, called a cup of buttered beer, made by the great skill of the said parishioner, to cure a grievous disease called a cold, which sorely troubled the said minister, all his tithes were discharged. And likewise a woman being convicted for adultery committed with one, that suspiciously resorted to her house in the night time, the suggestion of a prohibition in this case was, that "*omnia placita de nocturnis ambulationibus*" belong to the king, etc. Also where a legatary sued for his legacy given in a will, the prohibition was "*quia omnia placita de donis et concessionibus spectant ad forum regium, et non ad forum ecclesiasticum, dummodo non sint de testamento et matrimonio*": as

if a legacy were not "*donatio de*" or "*in testamento*;" with many other of like sort. The reformation of all which frivolous proceedings so chargeable notwithstanding to many poor men, and the great hindrance to justice, we humbly refer to your lordships consideration.

X. "No prohibition to be granted at his suit, the who is plaintiff, in the spiritual court." We suppose it to be no warrantable nor reasonable course, that prohibitions are granted at the suit of the plaintiff in the ecclesiastical court, who having made choice thereof, and brought his adversary there into trial, doth by all intendment of law and reason, and by the usage of all other judicial places conclude himself in that behalf; and although he cannot be presumed to hope for help in any other court by way of prohibition, yet it is very usual for every such person so proceeding only of meer malice, for vexation of the party, and to the great delay and hindrance of justice, to find favour for the obtaining of prohibitions, sometimes after two or three sentences, thereby taking advantage (as he must plead) of his own wrong, and receiving aid from that court, which by his own confession, he before did contemn; touching the equity whereof we will expect the answer of the judges.

XI. "No prohibition to be granted but upon due consideration of the libel." It is, we are persuaded, a great abuse, and one of the chief grounds of the most of the former abuses and many other, that prohibitions are granted without sight of the libel in the ecclesiastical court; yea sometimes before the libel be there exhibited, whereas by the laws and statutes of this realm, as we think, the libel (being a brief declaration of the matter in debate between the plaintiff and defendant) is appointed as the only rule and direction for the due granting of a prohibition; the reason whereof is evident, viz. upon diligent consideration of the libel it will easily appear, whether the cause belong to the temporal or ecclesiastical cognizance; as on the other side, without sight of the libel the prohibition must needs range and rove with strange and foreign suggestions, at the will and pleasure of the devisor, nothing pertinent to the matter in demand: whereupon it cometh to pass, that when the judge ecclesiastical is handling a matter of simony, a prohibition is grounded upon a suggestion, that the court trieth "*placita de advocacionibus ecclesiarum et de jure patronatus*." And when the libel containeth nothing but the demand of tithe wool and lamb, the prohibition surmiseth a custom of paying of tithe pigeons. So that if it may be made a matter of conscience to grant prohibitions only, where they do rightly lie, or to preserve the jurisdiction ecclesiastical, united to his majesty's crown, it cannot, we hope, but seem necessary to your lordships, that due consideration be first had of the libel in the ecclesiastical court, before any prohibition be granted.

XII. "No prohibition to be granted under pretence, that one witness cannot be received in the ecclesiastical court to ground a judgement upon"

upon." There is a new devised suggestion in the temporal courts commonly received and allowed, whereby they may at their will and pleasure draw any cause whatsoever from the ecclesiastical court. For example; many prohibitions have lately come forth upon this suggestion, that the laws ecclesiastical do require two witnesses, where the common law accepteth of one; and therefore it is "*contra legem terrae*" for the ecclesiastical judge to insist upon two witnesses to prove his cause: upon which suggestion, although many consultations have been granted, the same being no way as yet able to warrant and maintain a prohibition; yet because we are not sure, but that either by reason of the use of it, or of some future construction it may have given to it more strength than is convenient, the same tending to the utter overthrow of all ecclesiastical jurisdiction, we most humbly desire, that by your lordships good means, the same may be ordered to be no more used.

XIII. "No good suggestion for a prohibition, that the cause is neither testamentary nor matrimonial." As the former device last mentioned endeavoureth to strike away at one blow the whole ecclesiastical jurisdiction; so there is another as usual, or rather more frequent than the former, which is content to spare us two kind of causes to deal in, viz. testamentary and matrimonial: and this device insulteth mightily in many prohibitions, commanding the ecclesiastical judge, that be the cause never so apparently of ecclesiastical cognizance, yet he shall surcease; for that is neither a cause testamentary nor matrimonial, which suggestion, as it grew at the first upon mistaking and omitting the words "*de bonis et catallis*," etc. as may appear by divers ancient prohibitions in the register; so it will not be denied, but that besides those two, divers and sundry other causes are notoriously known to be of ecclesiastical cognizance, and that consultations are as usually awarded, if suit in that behalf be prosecuted, notwithstanding the said suggestion, as their prohibitions are easily granted; which as an injury marching with the rest to wound poor men, protract suits, and prejudice the courts ecclesiastical, we desire that the judges will be pleased to redress.

XIV. "No prohibition upon surmise only, to be granted either out of the king's Bench or Common Pleas, but out of the Chancery only." Amongst the causes, whereby the ecclesiastical jurisdiction is oppressed with multitude of prohibitions upon surmises only, this hath a chief place, in that through encroachment, as we suppose, there are so many several courts and judges in them, that take upon them to grant the same, as in the king's Bench five, and in the Common Pleas as many, the one court oftentimes crossing the proceedings of the other; whereas we are persuaded that all such kind of prohibitions, being original writs, ought only to issue out of the Chancery, and neither out of the king's Bench, nor Common Pleas. And that this hath been the ancient

practice in that behalf, appeareth by some statutes of the realm, and sundry judgments at the common law; the renewing of which practice carrieth with it an apparent shew of great benefit and conveniency both to the church and to the subject. For if prohibitions were to issue only out of one court, and from one man of such integrity, judgment, sincerity and wisdom, as we are to imagine the lord chancellor of England to be endued with, it is not likely that he would ever be induced to prejudice and pester the ecclesiastical courts with so many needless prohibitions, or after a consultation to send out in one cause, and upon one and the same libel not altered, prohibition upon prohibition, his own act remaining upon record before him to the contrary. The further consideration whereof, when upon the judges answer thereunto, it shall be more thoroughly debated, we must refer to your lordships honourable direction and wisdom.

XV. "No prohibition to be awarded under a false pretence, that the ecclesiastical judges would hold no plea for customs for tithes." Amongst many devices, whereby the cognizance of causes of tithes is drawn from ecclesiastical judges, this is one of the chiefest, viz. concerning the tryal of customs in payment of tithes, that it must be made in a temporal court; for upon a quirk and false suggestion in Edward the fourth his time, made by some serjeants, a conceit hath risen, which hath lately taken greater strength than before, that ecclesiastical judges will allow no plea of custom or prescription either "*in non decimando*," or "*in modo decimandi*;" and thereupon when contentious persons are sued in the ecclesiastical court for tithes, and do perceive, that upon good proof, judgment will be given against them, even in their own pleas, sometimes for customs, do presently (knowing their own strength with jurors in the country) flee unto Westminster hall, and there suggesting, that they pleaded custom for themselves in the ecclesiastical courts, but could not be heard, do procure thence very readily a prohibition. And albeit the said suggestion be notoriously false, yet the party prohibited may not be permitted to traverse the same in the temporal court, directly contrary to a statute made in that behalf; neither may the judge prohibited proceed without danger of an attachment, though himself do certainly know, either that no such custom was ever alledged before him, or being alledged, that he did receive the same, and all manner of proofs offered thereupon: which course seemeth the more strange unto us, because the ground thereof, laid in Edward the fourth his time, as aforesaid, was altogether untrue, and cannot with any sound reason be maintained. Divers statutes and judgments at the common law do allow the ecclesiastical courts to hold plea of such customs: all our books and general learning do therewith concur, and the ecclesiastical courts, both then and ever since even until this day, have and still admit the same, as both by our ancient and recent records it doth and may to any most manifestly

nifestly appear. And besides there are some consultations to be shewed in this very point, wherein the said surmise and suggestion, that the ecclesiastical judges will hear no plea of customs, is affirmed to be insufficient in law to maintain any such prohibition; and therefore we hope, that if we shall be able, notwithstanding any thing the judges shall answer thereunto, to justify the premises, your lordships will be a means, that the abuses herein complained of, having so false a ground, may be amended.

XVI. "The customs for tithes are only to be tried in the ecclesiastical courts, and ought not to be drawn thence by prohibitions." Although some indiscreet ecclesiastical judges, either in the time of king Edward the fourth, or Edward the sixth, might against law have refused in some one cause to admit a plea of custom of tithes, to the prejudice of some person, whom he favoured, and might thereby peradventure have given occasion of some one prohibition (but whether they did so or no, the suggestion of a lawyer for his fee is no good proof) yet forasmuch as by three statutes made since that time, wherein it is ordained, viz. both that tithes should be truly paid, according to the custom, and the tryal of such payments according to custom, upon any default or opposition, should be tried in the king's ecclesiastical courts, and by the king's ecclesiastical laws, and not otherwise, or before any other judges than ecclesiastical: we most humbly desire your lordships, that if according to the said laws, we be most ready to hear any plea of customs, your lordships would be pleased, that the judges may not be permitted hereafter to grant any prohibitions upon such false surmises; or if they shall answer, that we mistake the said statutes, that then the said three statutes may be thoroughly debated before your lordships; lest under pretence of a right, which they challenge to expound these kind of statutes, the truth may be overborn, and poor ministers still left unto country tryals, there to justify the right of their tithes before unconscionable jurors in these cases.

XVII. "No prohibition to be granted, because the treble value of tithes is sued for in the ecclesiastical court." Whereas it appeareth plainly by the tenor of the statute of Edw. VI. cap. 13. that judges ecclesiastical and none other are to hear and determine all suits of tithes and other duties of the same, which are given by the said act; and that nothing else is added to former laws by that statute, but only certain penalties, for example, one of treble value: forasmuch as the said penalty, being only devised as a means to work the better payment of tithes, and for that there are no words used in the said statute to give jurisdiction to any temporal court; we hold it most apparent, that the said penalty of treble value, being a duty given in the said statute for non-payment of tithes, cannot be demanded in the temporal court but only before the ecclesiastical judges, according to the expresse words of the said statute; and the

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rather we are so persuaded, because it is most agreeable to all laws, and reason, that where the principal cause is to be decided, there all things incident and necessary are to be determined. Besides it was the practice of all ecclesiastical courts in this realm, immediately after the making of the said statute, and hath continued so ever since, to award treble damages (when there hath been cause) without any opposition, until about ten years past, when or about which time, notwithstanding the premises, the temporal judges began to hold plea of treble value, and do now accompt it so proper and peculiar to their jurisdictions, as by colour thereof they admit suits originally for the said penalty, and do make thereby (very absurdly) the penalty of treble value to be principal, which is indeed but the accessory, and the cognizance of tithes to be but the accessory, which in all due construction is most evident to be the principal, thereby wholly perverting the true meaning and drift of that statute; whereupon if in the spiritual court the treble value be now demanded by the libel as a duty, according to that statute, or that sentence be awarded directly and sincerely upon the said libel, presently, as contentious persons are disposed, a prohibition is granted, and some sharp words are further used, as if the ecclesiastical judges were in some further danger for holding of these kind of pleas: and therefore we most humbly desire, that if the judges shall insist in their answers upon such their straining of the said statute, your lordships will be pleased to hear the same further debated by us with them.

XVIII. "No prohibition to be awarded, where the person is stopped from carrying away of his tithes by him that setteth them forth." As the said statute of Edward the sixth, last mentioned, assigneth a penalty of treble value, if a man upon pretence of custom, which cannot be justified, shall take away his corn, before he hath set out his tithes; so also in the said statute it is provided, that if any man having set out his tithes, shall not afterwards suffer the parson to carry them away, etc. he shall pay the double value thereof so carried away, the same to be recovered in the ecclesiastical court. Howbeit the clearness of the statute in this point notwithstanding means are found to draw this cause also from the ecclesiastical court; for such as of hatred towards their ministers are disposed to vex them with suits at the common law, where they find more favour to maintain their wrangling, than they can hope for in the ecclesiastical court, will not fail to set out their tithes before witnesses, but not with any meaning or intent, that the parson shall ever carry them away; for presently thereupon they will cause their own servants to load them away to their own barns, and leave the parson, as he can to seek his remedy; which if he do attempt in the ecclesiastical court, outcometh a prohibition, suggesting that upon severance and setting forth of the tenth part from the nine, the same tenths were presently by law in the par-

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son's possession, and being thereupon become a lay chattel, must be recovered by an action of trespass at the common law; whereas the whole pretence is grounded upon a mere perverting of the statute, which doth both ordain, that all tithes shall be set forth truly and justly without fraud and guile; and that also the parson shall not be stopped or hindered from carrying them away; neither of which conditions are observed, when the farmer doth set them forth, meaning to carry them away himself (for that is the fraudulent setting of them out) and also when accordingly he taketh them away to his own use; for thereby he stoppeth the parson to carry them away; and consequently the penalty of this offence is to be recovered in the said ecclesiastical courts, according to the words of the said statute, and not in any court temporal: wherefore we most humbly desire your lordships, that either the judges may make it apparent to your lordships, that we dislike this statute in this point, or that our ecclesiastical courts may ever hereafter be freed from such kinds of prohibitions.

XIX. "No prohibition to be granted upon any incident plea in an ecclesiastical cause." We conceive it to be great injury to his majesty's ecclesiastical jurisdiction, that prohibitions are awarded to his ecclesiastical courts upon every by, and every incident plea or matter alleged there in barr, or by way of exception, the principal cause being undoubtedly of ecclesiastical cognizance. For example. In suit for tithes in kind, if the limits of the parish, agreements, compositions and arbitraments, as also whether the minister that sueth as parson, be indeed parson or vicar, do come in debate by way of barr, although the same particulars were of temporal cognizance (as some of them we may boldly say are not) yet they were in this case examinable in the ecclesiastical court, because they are matters incident, which come not in that case finally to be sentenced and determined, but are used as a mean and furtherance for the decision of the main matter in question. And so the case standeth in other such incident pleas by way of barr; for otherwise either party in every cause might at his pleasure by pleading some matter temporal by way of exception, make any cause ecclesiastical whatsoever subject to a prohibition, which is contrary to the reason of the common law, and sundry judgments thereupon given, as we hope the judges themselves will acknowledge, and thereupon yield to have such prohibitions hereafter restrained.

XX. "That no temporal judges, under colour of authority to interpret statutes, ought, in favour of their prohibitions, to make causes ecclesiastical to be of temporal cognizance." Although of late days it hath been strongly held by some, that the interpretation of all statutes whatsoever do belong to the judges temporal, yet we suppose by certain evil effects, that this opinion is to be bounded within certain limits; for the strong conceit of it hath already brought forth this fruit, that even those very statutes,

which do concern matters meerly ecclesiastical, and were made of purpose with great caution to preserve, enlarge, and strengthen the jurisdiction ecclesiastical, have been by colour thereof turned to the restraining, weakning, and utter overthrow of the same, contrary to the true intent and meaning of the said statutes. As for example. Besides the strange interpretation of the statutes before mentioned for the payment of tithes, when parties have been sued in the ecclesiastical courts in case of an incestuous marriage, a prohibition hath been awarded, suggesting under pretence of a statute in the time of king Henry VIII. that it appertaineth to the temporal courts and not to the ecclesiastical, to determine what marriages are lawful, and what are incestuous by the word of God. As also a minister being upon point of deprivation for his insufficiency in the ecclesiastical court, a prohibition was granted upon suggestion, that all pleas of the fitness, learning, and sufficiency of ministers belong only to the kings temporal courts, relying, as we suppose, upon the statute of 13. Eliz. by which kind of interpretation of statutes, if the naming, disposing or ordering of causes ecclesiastical in a statute shall make the same to be of temporal cognizance, and so abolish the jurisdiction of the ecclesiastical court, without any further circumstances or express words to warrant the same; it followeth, that forasmuch as the common book and articles of religion are established and confirmed by several acts parliament, the temporal judges may challenge to themselves an authority to end and determine all causes of faith and religion, and to send out their prohibitions, if any ecclesiastical judge shall deal or proceed in any of them: which conceit, how absurd it is, needeth no proof, and teacheth us, that when matters meerly ecclesiastical are comprised in any statute, it doth not therefore follow, that the interpretation of the said matters doth belong to the temporal judges, who by their profession, and as they are judges, are not acquainted with that kind of learning. Hereunto when we shall receive the answer of the judges, we shall be ready to justify every part of this article.

XXI. "That persons imprisoned upon the writ of "De excommunicato capiendo" are unduely delivered, and prohibitions unduely awarded for their greater security." Forasmuch as imprisonment upon the writ of "De excommunicato capiendo" is the chiefest temporal strength of ecclesiastical jurisdiction, and that by the laws of the realm none so committed for their contempt in matters of ecclesiastical cognizance, ought to be delivered, until the ecclesiastical courts were satisfied, or caution given in that behalf; we would gladly be resolved by what authority the temporal judges do cause the sheriffs to bring the said parties into their courts, and by their own discretions set them at liberty, without notice thereof first given to the ecclesiastical judges, or any satisfaction made either to the parties, at whose suit he was imprisoned, or the ecclesiastical court, where certain lawful fees

fees are due. And after all this why do they likewise send out their prohibitions to the said court, commanding that all censures against the said parties shall be remitted, and that they be no more proceeded with, for the same causes in those courts. Of this our desire we hope your lordships do see sufficient cause, and will therefore procure us from the judges some reasonable answer.

XXII. "The king's authority in ecclesiastical causes is greatly impugned by prohibitions." We are not a little perplexed touching the authority of his majesty in causes ecclesiastical, in that we find the same to be so impeached by prohibitions, that it is in effect thereby almost extinguished; for it seemeth that the innovating humour is grown so rank, and that some of the temporal judges are come to be of opinion, that the commissioners appointed by his majesty for his causes ecclesiastical having committed unto them the execution of all ecclesiastical jurisdiction annexed to his majesty's imperial crown, by virtue of an act of parliament made in that behalf, and according to the tenor and effect of his majesty's letters patents, wherein they are authorized to imprison and impose fines, as they shall see cause, cannot otherwise proceed, the said act and letters patents notwithstanding, than by ecclesiastical censures only. And thereupon of latter days, whereas certain lewd persons, two for example's sake, one for notorious adultery and other intolerable contempts, and another for abusing of a bishop of this kingdom with threatening speeches and sundry railing terms no way to be endured, were thereupon fined and imprisoned by the said commissioners, till they should enter into bonds to perform further orders of the said court; the one was delivered by an "Habeas corpus" out of the king's Bench, and the other by a like writ out of the Common Pleas; and sundry other prohibitions have been likewise awarded to his majesty's said commissioners upon these suggestions; viz. that they had no authority either to fine or imprison any man; which innovating conceit being added to this that followeth, that the writ of "De excommunicato capiendo" cannot lawfully be awarded upon any certificate or "Significavit" made by the said commissioners, we find his majesty's said supreme authority in causes ecclesiastical (so largely amplified in sundry statutes) to be altogether destitute in effect of any means to uphold it, if the said proceedings by temporal judges shall be by them maintained and justified; and therefore we most humbly desire your lordships, that they may declare themselves herein, and be restrained hereafter (if there be cause found) from using the king's name in their prohibitions, to so great prejudice of his majesty's said authority, as in debating the same before your lordships will hereafter more fully appear.

XXIII. "No prohibitions to be granted under pretence to reform the manner of proceedings by the ecclesiastical laws in causes confessed to be of ecclesiastical cognizance." Notwithstand-

ing that the ecclesiastical jurisdiction hath been much impeached heretofore through the multitude of prohibitions, yet the suggestions in them had some colour of justice, as pretending that the judges ecclesiastical dealt with temporal causes; but now, as it seemeth, they are subject to the same contrivements, whether the cause they deal in, be either ecclesiastical or temporal, in that prohibitions of late are wrested out of their own proper course, in the nature of a writ of error, or of an appeal. For whereas the true and only use of a prohibition is to restrain the judges ecclesiastical from dealing in a matter of temporal cognizance; now prohibitions are awarded upon these surmises; viz. that the libel, the articles, the sentence, and the ecclesiastical court, according to the ecclesiastical laws, are grievous and insufficient, though the matter there dealt withal be merely ecclesiastical; and by colour of such prohibitions, the temporal judges do alter and change the decrees and sentences of the judges ecclesiastical, and do moderate the expences taxed in the ecclesiastical courts, and do award consultations upon conditions. As for example; that the plaintiff in the ecclesiastical court shall accept of the one half of the costs awarded, and that the register shall lose his fees; and that the said plaintiff shall be contented with the payment of his legacy, which was the principal sued for, and adjudged due unto him at such day, as they the said temporal judges shall appoint, or else the prohibition must stand. And also where his majesty's commissioners for causes ecclesiastical, have not been accustomed to give a copy of the articles to any party before he hath answered them; and that the statute of Hen. V. touching the delivering of the libel, was not only publicly adjudged in the king's Bench not to extend to the deliverance of articles, where the party is proceeded with "ex officio," but likewise imparted to his majesty, and afterwards divulged in the Star-chamber, as a full resolution of the judges; yet within 4. or 5. months after a prohibition was awarded to the said commissioners out of the king's Bench, upon suggestion, that the party ought to have a copy of the articles, being called in question "ex officio," before he should answer them; and notwithstanding that a motion was made in full court shortly after for a consultation; yet an order was entred, that the prohibition should stand untill the said party had a copy of the said articles given him: which novel and extraordinary courses do seem very strange unto us, and are contrary not only to the whole course of his majesty's laws ecclesiastical, but also to the very maxims and judgment of the common law, and sundry statutes of this realm, as we shall be ready to justify before your lordships, if the judges shall endeavour to maintain these their proceedings.

XXIV. "That temporal judges are sworn to defend the ecclesiastical judges jurisdiction." We may not omit to signify unto your lordships, as we take it, the temporal judges are not only bound by their ancient oath, that they shall

shall do nothing to the disherison of the crown, but also by a latter oath unto the king's supremacy, wherein they do swear; that to their power they will assist and defend all jurisdictions, privileges, preeminences, and authorities united and annexed to the imperial crown of this realm; in which words the ecclesiastical jurisdiction is specially aimed at; so that whereas they do oftentimes insist upon their oath, for doing of justice in temporal causes, and do seldom make mention of the second oath taken by them for the defence of the ecclesiastical jurisdiction, with the rights and immunities belonging to the church; we think, that they ought to weigh their said oaths better together, and not so far to extend the one, as that it should in any sort prejudice the other. The due consideration whereof (which we most instantly desire) would put them in mind, any suggestion to the contrary notwithstanding, to be as careful not to do any thing that may prejudice the lawful proceedings of the ecclesiastical judges in ecclesiastical causes, as they are circumspect not to suffer any impeachment or blemish of their own jurisdictions and proceedings in causes temporal.

Archiepisc. Cant.
RIC. BANCROFT I.

Anno Christi
1605.

Reg. Angliae
JACOB. I. 3.

An act for a public thanksgiving to almighty God every year on the fifth day of November.

FORASMUCH as almighty God hath in all ages shewed his power and mercy in the miraculous and gracious deliverance of his church, and in the protection of religious kings and states; and that no nation of the earth hath been blessed with greater benefits than this kingdom now enjoyeth, having the true and free profession of the gospel under our most gracious sovereign lord king James, the most great, learned and religious king that ever reigned therein, enriched with a most hopeful and plentiful progeny, proceeding out of his royal loins, promising continuance of this happiness and profession to all posterity. The which many malignant and devilish papists, Jesuits, and seminary priests, much envying and fearing, conspired most horribly, when the king's most excellent majesty, the queen, the prince, and all the lords spiritual and temporal, and commons should have been assembled in the upper house of parliament, upon the fifth day of November, in the year of our Lord M.DC.V. suddenly to have blown up the said whole house with gunpowder: an invention so inhuman, barbarous, and cruel, as the like was never before heard of, and was (as some of the principal conspirators thereof confess) purposely devised and concluded to be done in the said house, that where sundry necessary and religious laws for preservation of the church and state were made, which they falsely and slanderously term cruel laws enacted against them and their religion, both place and persons should be all destroyed and blown up at once; which would have turned to the utter

ruin of this whole kingdom, had it not pleased almighty God, by inspiring the kings most excellent majesty with a divine spirit, to interpret some dark phrases of a letter shewed to his majesty above and beyond all ordinary construction, thereby miraculously discovering this hidden treason not many hours before the appointed time for the execution thereof. Therefore the kings most excellent majesty, the lords spiritual and temporal, and all his majesty's faithful and loving subjects do most justly acknowledge this great and infinite blessing, to have proceeded merely from God his great mercy, and to his most holy name do ascribe all honour, glory, and praise. And to the end this unfeigned thankfulness may never be forgotten, but be had in a perpetual remembrance, that all ages to come may yield praises to his divine majesty for the same, and have in memory this joyful day of deliverance;

Be it therefore enacted by the king's most excellent majesty, the lords spiritual and temporal, and the commons in this present parliament assembled, and by the authority of the same, that all and singular ministers in every cathedral and parish church, or other usual place for common prayer within this realm of England and the dominions of the same, shall always upon the fifth day of November say morning prayer, and give unto almighty God thanks for this most happy deliverance; and that all and every person and persons inhabiting within this realm of England and the dominions of the same, shall always upon that day

day diligently and faithfully resort to the parish church or chapel accustomed, or to some usual church or chapel, where the said morning prayer, preaching, or other service of God shall be used, and then and there to abide orderly and soberly during the time of the said prayers, preaching, or other service of God there to be used and ministered.

And because all and every person may be put in mind of his duty, and be then better

prepared to the said holy service, be it enacted by the authority aforesaid, that every minister shall give warning to his parishioners publickly in the church at morning prayer, the Sunday before every such fifth day of November, for the due observation of the said day; and after morning prayer or preaching upon the said fifth day of November, they read publickly distinctly, and plainly this present act.

Archiepisc. Cant.
RIC. BANCROFT 1.

Anno Christi
1605.

Reg. Angliae
JACOB. I. 3.

The oath of allegiance as established by act of parliament.

I A. B. do truly and sincerely acknowledge, profess, testify, and declare in my conscience before God and the world, that our sovereign lord king James is lawful and rightful king of this realm, and of all other his majesty's dominions and countries; and that the pope neither of himself, nor by any authority of the church or see of Rome, or by any other means with any other hath any power or authority to depose the king, or to dispose of any of his majesty's kingdoms or dominions, or to authorise any foreign prince to invade or annoy him, or his countries, or to discharge any of his subjects of their allegiance and obedience to his majesty, or to give licence, or leave to any of them to bear arms, raise tumults, or to offer any violence or hurt to his majesty's royal person, state, or government, or to any of his majesty's subjects within his majesty's dominions.

II. Also I do swear from my heart, that notwithstanding any declaration or sentence of excommunication or deprivation made or granted, or to be made or granted by the pope or his successors, or by any authority derived, or pretended to be derived from him or his see, against the said king, his heirs or successors, or any absolution of the said subjects from their obedience; I will bear faith and true allegiance to his majesty, his heirs and successors, and him and them will defend to the utmost of my power against all conspiracies and attempts whatsoever, which shall be made against his or

their persons, their crown and dignity, by reason or colour of any such sentence or declaration, or otherwise; and will do my best endeavour to disclose and make known unto his majesty, his heirs and successors, all treasons and traitorous conspiracies, which I shall know or hear of, to be against him or any of them.

III. And I do further swear, that I do from my heart abhor, detest, and abjure, as impious and heretical, this damnable doctrine and position; that princes, which be excommunicated or deprived by the pope, may be deposed or murdered by their subjects, or any other whatsoever.

IV. And I do believe, and in my conscience am resolved, that neither the pope, nor any other person whatsoever hath power to absolve me of this oath, or any part thereof, which I acknowledge by good and full authority to be lawfully ministered unto me, and do renounce all pardons and dispensations to the contrary.

V. And these things I do plainly and sincerely acknowledge and swear, according to these express words by me spoken, and according to the plain and common sense and understanding of the same words, without any equivocation, or mental evasion, or secret reservation whatsoever. And I do make this recognition and acknowledgment heartily, willingly, and truly, upon the true faith of a christian, so help me God.

Archiepisc. Cant.
RIC. BANCROFT 2.

Anno Christi
1605.

Reg. Angliae
JACOB. I. 3.

Suspensio ab archiepiscopo Cantuar. facta contra decanum Wellensem, et alios.

Ex reg. Bancroft fol. 138. a.

RICHARDUS providentia divina Cant. archiepiscopus, totius Angliae primas et metropolitanus, universis et singulis decanis, archidiaconis, canonicis, praebendariis, necnon rectoribus, vicariis, et aliis quibuscunque in ordine sacerdotali seu presbyterali constitutis, per provinciam nostram Cant. ubilibet constitutis, salutem et gratiam. Cum nos in sacra synodali convocatione praelatorum, et totius cleri nostrae Cant. provinciae, auctoritate regia exercita et celebrata, rite et legitime procedentes, omnes et

singulos decanos, archidiaconos, capitula, et cleri procuratores, et alios quoscunque, ad comparandum coram nobis in dicta sacra synodo provinciali nostrae Cant. provinciae jamdudum inchoat. et celebrat. ac de die in diem, et de loco in locum, usque ad et in certum diem et locum competent. continuat. et prorogat. jamque efflux. aliasque legitime et peremptorie monitos et citatos, praeconizatosque, ac diu et sufficienter expectatos, et nullo modo comparentes; necnon omnes et singulos alios decanos, archidiaconos,

diaconos, capitula, et cleri procuratores, et alios quosunque in dicta convocatione comparentes, et ab eadem, sine licentia nostra in ea parte obtenta, recedentes, aut mandatis nostris licitis vel procuratoris dictae convocationis minime obtemperantes, pronunciaverimus contumaces, ipsosque et eorum quemlibet in poenam contumaciarum suarum hujusmodi; et inter alios, magistrum Benjaminum Haydon, sacrae theologiae professorem, decanum ecclesiae cathedralis Wellen. Philippum Bisse, S. T. P. archidiaconum archidiaconatus Taunton, et Willelmum Hill, S. T. P. unum procuratorum cleri dioec. Bath. et Well. in poenam contumaciarum suarum hujusmodi, in recedendo a dicta convocatione ante dissolutionem ejusdem, sine licentia nostra in ea parte petita et obtenta, a celebratione divinorum et omnimodo exercitio jurisdictionis et officii ecclesiastici, tam activo quam passivo, suspenderimus in scriptis per nos lectis, iustitia mediante; vobis igitur conjunctim et divisim committimus, et firmiter injungendo mandamus, quatenus eosdem Benjaminum Haydon, Philippum Bisse, et Willelmum Hill sic, ut prae-

mittitur, a convocatione hujusmodi ante dissolutionem ejusdem recedentes, auctoritate nostra a celebratione divinorum et omnimodo exercitio jurisdictionis et officii ecclesiae suspensos fuisse et esse, proque sic suspensis tam in ecclesia cathedrali Wellen. praedict. quam aliis ecclesiis parochialibus, diebus dominicis et festivis, receptionem praesentium immediate sequent. inter divinorum solennia, dum major in eisdem ecclesiis ad divina audienda adfuerit populi multitudo, palam et publice denunciatis et declaratis, seu sic denunciari et declarari faciatis cum effectu. De diebus vero receptionis praesentium et executionis vestrae earundem, necnon et quid in praemissis feceritis, nos aut vicarium nostrum in spiritualibus generalem, et officialem principalem, immediate post publicationem et denunciationem praesentium, debite et authentice certificetis, seu sic certificet ille vestrum, qui praesens nostrum mandatum fuerit executus. Dat. sub sigillo, quo in hac parte utimur, 21. die mensis Martii anno Domini juxta computationem ecclesiae Anglicanae M.DC.V. et nostrae translationis anno secundo.

Archiepisc. Cant.
RIC. BANCROFT 2.

Anno Christi
1605.

Reg. Angliae
JACOB. I. 3.

Concilium provinciale Eboracense. Ex reg. Ebor.

CONCILIUM hoc virtute brevis regii archiepiscopo Ebor. directi a 4. die mensis Octobris ad 9. mensis Novembris, et ab illo die in 3. diem Decembris continuatum fuit. Archiepiscopo Eborum mortuo, rex aliud breve custodibus spiritualitatis archiepiscopatus mittit, dat. 22. die Januarii, intimans illis diversas concilii prorogationes, archiepiscopo vivente, factas, et mandans debitam executionem omnium eorum, quae virtute brevis exequenda jubentur. Custodes et capitulum Ebor. 4. die mensis Februarii comparentes in ecclesia metropolitana B. Petri Ebor. Johannem Bristolensem episcopum, decanum hujus ecclesiae, in praesidem five praesidentem convocationis elegerunt, eandem electionem domino regi debite significandam decernentes, cum requisitione et supplicatione pro ejus regio consensu eidem electioni adhibendo, et pro literis suis regiis commissionalibus ad ulterius in eadem convocatione pro bono dictae provinciae Ebor. tractand. concludend. et finiend.

Hoc facto, concilium ad 10. deinde ad 19. tum ad 21. mensis Februarii dies; postea ad 5. mensis Martii continuabatur. Eo die Willelmus Goodwin, cancellarius et canonicus residentiarius, hujus ecclesiae et episcoporum Dunelm. et Carliol. procurator, in prolocutorem synodi provincialis eligebatur. Deinde literae regiae patentes, praelatis et clero prov. Ebor. licentiam canones condendi concedentes, legebantur, quae hujus erant tenoris:

"James, by the grace of God king of England, Scotland, France, and Ireland, defender of the faith, etc. to all men, to whom these presents shall come, greeting. Whereas in and by one act of parliament, made in the five and twentieth year of the reign of king Henry the

VIII. reciting, that whereas the king's humble and obedient subjects, the clergy of the realm of England, had not only acknowledged, according to the truth, that the convocations of the same clergy were, always had been, and ought to be assembled by the king's writ, but also, submitting themselves to the king's majesty, had promised in "verbo sacerdotii," that they would never from thenceforth presume to attempt, alledge, or put in ure, or enact, promulge, or execute any new canons, constitutions, ordinances provincial, or other, or by whatsoever other name they should be called in the convocation, unless the king's most royal assent and licence might to them be had to make, promulge, and execute the same; and that the said king did give his most royal assent and authority in that behalf. It was therefore enacted by the authority of the said parliament according to the said submission and petition of the said clergy, amongst other things, that they, nor any of them from thenceforth should enact, promulge, or execute any such canons, constitutions, or ordinances provincial, by whatsoever name or names they might be called in the convocations in time coming, which always should be assembled by authority of the king's writ, unless the said clergy might have the king's most royal assent and licence to make, promulge, and execute such canons, constitutions, ordinances provincial or synodal, upon pain of every one of the said clergy, doing contrary to the said act, and being thereof convict, to suffer imprisonment and make fine of the king's will. And further by the said act is provided, that no canons, constitutions, and ordinances should be made or put in execution within this realm by authority

authority of the convocations of the clergy, contrary or repugnant to the king's prerogative royal, or the customs, laws, or statutes of this realm, any thing contained in the said act to the contrary thereof notwithstanding; and lastly it is also provided by the said act, that such canons, constitutions, ordinances, and synodals provincial, which then were already made, and which then were not contrary or repugnant to the laws, statutes, and customs of this realm, nor to the damage or hurt of the king's prerogative royal, should then still be used and executed, as they were before the making of the said act, until such time as they should be viewed, searched or otherwise ordered, or determined by the persons mentioned in the said act, or the more part of them, according to the tenor, form, and effect of the said act, as by the said act amongst divers other things more fully and at large it doth and may appear. Know ye, that we for divers urgent and weighty causes and considerations us thereunto specially moving, of our special grace, certain knowledge, and meer motion, by virtue of our prerogative royal, and supreme authority in causes ecclesiastical, have given and granted, and by these presents do give and grant full, free, and lawful liberty, licence, power, and authority unto the reverend father in God John, bishop of Bristol, and dean of our metropolitical church of St. Peter in our city of York, president of this present convocation for the province of York for this present parliament now assembled, and to the rest of the bishops of the same province, and to all deans of cathedral churches, archdeacons, chapters, and colleges, and the whole clergy of every several diocese within the said province, that they the said bishop of Bristol, president of the said convocation, and the rest of the said bishops of the same province, or the greater number of them, whereof the said president of the said convocation to be one, and the rest of the clergy of this present convocation within the said province of York, or the greater number of them, shall and may from time to time, during this present parliament confer, treat, debate, consider, consult, and agree of and upon such canons, orders, ordinances, and constitutions, as the said bishop of Bristol, president of the said convocation, and the rest of the said bishops of the said province, or the greater number of them, whereof the said president of the said convocation to be one, and the rest of the clergy of this present convocation, within the said province of York or the greater number of them shall think necessary, fit and convenient for the honour and service of almighty God, the good and quiet of the church, and the better government thereof, to be from time to time observed, performed, fulfilled, and kept as well by the archbishops of York, the bishops and their successors, and the rest of the whole clergy of the said province of York in their several callings, offices, functions, ministries, degrees, and administrations, as also by all and every dean of the arches, and other judge of the said archbishop's courts, guardians

of spiritualties, chancellors, deans and chapters, archdeacons, commissaries, officials, registers, and all and every other ecclesiastical officers, and their inferior ministers whatsoever, of the same province of York, in their and every of their distinct courts, and in the order, manner, and form of their and every of their proceedings, and by all other persons within this realm, as far as lawfully being members of the church it may concern them; and further to confer, treat, debate, consider, consult, and agree of and upon such other points, matters, causes, and things, as we from time to time shall deliver or cause to be delivered unto the said bishop of Bristol, president of the said convocation, in writing under our sign manual, or privy signet, to be debated, considered, consulted, and agreed upon; the said statute or any other statute, act of parliament, proclamation, provision or restraint heretofore had, made, provided, or set forth, or the vacancy of the see of York, or any other cause, matter, or thing whatsoever to the contrary notwithstanding. And we do also by these presents give and grant unto the said bishop of Bristol, president of the said convocation, and to the rest of the bishops of the said province of York, and unto all deans of cathedral churches, archdeacons, chapters, and colleges, and the whole clergy of every several diocese within the said province full, free, and lawful liberty, licence, power, and authority, that they the said bishop of Bristol, president of the said convocation, and the rest of the said bishops of the same province, or the greater number of them, whereof the said president of the said convocation to be one, and the rest of the clergy of this present convocation within the said province of York, or the greater number of them, all and every the said canons, orders, ordinances, constitutions, matters, causes, and things so by them from time to time conferred, treated, debated, considered, consulted, and agreed upon, shall and may set down in writing, in such form as heretofore hath been accustomed; and the same so set down in writing to exhibit and deliver, or cause to be exhibited and delivered unto us, to the end that we upon mature consideration by us to be taken thereupon, may allow, approve, confirm, and ratify, or otherwise disallow, annihilate, and make void such and so many of the said canons, orders, ordinances, constitutions, matters, causes, and things so to be by force of these presents considered, consulted, and agreed upon, as we shall think fit, requisite, and convenient. Provided always that the said canons, orders, ordinances, constitutions, matters, and things, or any of them so to be considered, consulted, or agreed upon as aforesaid, be not contrary or repugnant to the doctrine, orders, and ceremonies of the church of England already established. Provided also, and our express will, pleasure and commandment is, that the said canons, orders, ordinances, constitutions, matters, causes, and things, or any of them so to be by force of these presents considered, consulted, or agreed upon, shall not be of any force

force, effect, or validity in the law, but only such and so many of them, and after such time, as we by our letters patents under our great seal of England shall allow, approve, and confirm the same; any thing before in these presents contained to the contrary thereof in any wise notwithstanding. In witness whereof we have caused these our letters to be made patents. Witness ourself at Westminster the 18th day of February, in the third year of our reign of England, France, and Ireland, and of Scotland the nine and thirtieth,

Per ipsum regem.

COPPIN.

His peractis, synodus provincialis in diem 7. et ab hoc in 19. mensis Martii continuabatur. Quo die et diebus praeteritis in domo capitulari ecclesiae metropolitanae B. Petri Ebor. per Will. Goodwin, S. T. P. prolocutorem, publice lectis omnibus et singulis canonibus five constitutionibus ecclesiasticis, de quibus tractatum, conclusum, et consensus est, per reverendum in Christo patrem et dom. dom. Richardum, prov. div. London. episcopum, praesidentem convocationis provinciae Cant. et caeteros episcopos et clerum ejusdem provinciae de licentia speciali serenissimi domini nostri regis A. D. M.DC.III. et postea per literas regias patentes publicatis, confirmatis, et observari mandatis, atque mature jam et antea examinatis et ponderatis, idem reverendus pater episcopus, et caeteri ejusdem convocationis, tunc comparentes, unanimis eorum consensu et assensu, praefatas constitutiones ecclesiasticas ratificarunt et firmiter observari in et per totam hanc provinciam Ebor. mandarunt, prout per eorum decretum seu certificatorium tunc etiam publice perlectum latius constat et apparet, et cui nomine et cognomine eorum subscripserunt. Cujus verus tenor sequitur, et est talis :

Whereas we the president and clergy of the convocation of the province of York, authorized by his majesty's commission in this behalf, have diligently viewed, and deliberately examined the constitutions and canons ecclesiastical, and every of them treated, concluded, and agreed upon by the reverend father in God Richard, by God's providence late bishop of London, president of the convocation of the province of Canterbury, and the rest of the bishops and clergy of the same province, by his majesty's licence in their synod begun at London anno Domini M.DC.III. and since that published, for the due observation thereof, by his majesty's authority under the great seal of England, and by his majesty's said authority commanded to be diligently observed by all his subjects of this realm of England within both provinces of Canterbury and York in all points, wherein they do or may concern every or any of them. We his majesty's loyal subjects, furthering, as much as in us lieth, the honour and service of almighty God, the peace of God's church, and better government of the same,

and finding the said constitutions and canons very fit and requisite for the good of the church to be observed within and throughout all the province of York (yielding in all points respectively to the archbishop of York, to every bishop of the province of York, and to his or their chancellors and commissaries, and others having ecclesiastical jurisdiction within the said province, such and the same authority, as by force of the said canons and constitutions was, and is severally attributed to the archbishop of Canterbury, to the bishops, and to others exercising ecclesiastical jurisdiction in that province) do thereby decree and ordain, that all and singular the said constitutions and canons ecclesiastical, and the contents of them, and every of them, be for ever hereafter of full power, force and authority within this province of York, and be accounted and numbered among the constitutions and canons of the province of York; and that they, and every of them, be from henceforth truly and diligently observed, executed, and equally kept by all and singular persons, not only of the clergy, but of the laity, within the province of York, so far forth as it doth, or may concern them, and every, or any of them in their several functions, degrees, and states, upon the perils and penalties therein expressed, and other censures ecclesiastical to be inflicted upon all and every of the transgressors thereof, according to the measure and quality of their offence. In testimony whereof we ourselves, and for the whole clergy within the province of York lawfully assembled and deputed in this behalf, have willingly and "ex animo" subscribed in this schedule of parchment annexed, to the canons and constitutions; humbly praying the king's most excellent majesty graciously to accept our most humble duty and service therein, and to give his highness's royal assent to the same.

Persons present at this act.

The reverend father in God John, bishop of Bristol, president of the convocation.

Mr. Dr. Goodwin prolocutor thereof, proctor for the bishop of Durham and Carlisle, and for the chapter of this church.

Mr. Banks another proctor for the same chapter.

Mr. Harwood and Mr. Belwood, proctors for the clergy of the jurisdiction of the dean and chapter of the church

Mr. Parkinson for Richmond, etc.

Mr. Dr. Colmer, Mr. William Morton, and Mr. Ribank, parties for them of the church and diocese of Durham.

Mr. Whittle, proctor for them of the church and diocese of Chester.

Mr. Lowther and Mr. Maplet, proctors for them of the church and diocese of Carlisle.

And Mr. Archdeacon Remington, Mr. Lindley, Mr. Nobson, and Mr. Nelson, proctors for them of Southwell church and Nottingham archdeaconry.

Synodus

Archiepisc. Cant.
Ric. BANCROFT 2.

Anno Christi
1606.

Reg. Angliae
JACOBI. I. 4.

Synodus provinciae Cantuar. Ex MS. Mil. Smith apud episc. Tho. Assaven.

SYNODUS provinciae Cantuar. ad secundum diem Aprilis continuata, sub initium hujus anni vix aliquid praeter suspensionem et absolutionem non comparentium tractavit; inter hos D. Tooker, decanus Lichfeld. et M. Robotham eam a synodo obtinuerunt; inter illos doctor Stern, suffraganeus episcopus Colcestrensis, ab officio suspensus est.

Vicesimo octavo die mensis Maii "the prolocutor desires the archbishop, that whereas by reason of the long continuance of the convocation, the clerks of the convocation had been at extraordinary expences, that a competent sum might be allowed by the parsons and vicars over and above the usual and accustomed allowance towards their great charges. The archbishops and bishops thereupon order, that for the first session they should have the old and ordinary allowance, and for the other sessions after, the moiety of the first old allowance." His ita gestis, convocatio ad 19. mensis Novembris sequentis prorogabatur.

Interea inferior convocationis domus libellum supplicem regi offerebat, de tollendis prohibitionibus, ut seq.

Petition of the lower house of convocation to his majesty against prohibitions.

Most humbly beseeching your most excellent majesty, your most faithful subjects, the clergy of your lower house of convocation, for themselves and the rest of their brethren in the ministry; that, whereas they have been very much of late years defrauded of their tithes, and debarred from obtaining their right due unto them

by your excellent laws of this church, through prohibitions procur'd by those, which wrong them out of your majesty's temporal courts, to your suppliants great hindrance, molestation, and utter impoverishing in time, if remedy be not provided; besides the stopping of justice, occasion of perjury, and further wrong, and overthrow of your ecclesiastical jurisdiction, as though it were an unjust usurpation of foreign power against your majesty and crown, and not the due execution of your majesty's own rightful power and just jurisdiction in causes ecclesiastical: it may please your most excellent majesty, upon due notice given, and in tender consideration of our grievances herein, to take some speedy order for the help and relief of the same in such manner, as to your highness's wisdom, piety, and clemency shall seem just, fit, and convenient.

And your majesty's suppliants shall evermore (as they are bound) with all due thankfulness pray unto God for your majesty's long and happy life, and prosperous reign.

Duo inprimis post hanc prorogationem in synodo proponebantur; primum sessione III. Novemb. 21. "The archbishop tells the lower house, that the king had consented to put a restraint upon prohibitions."

Secundum sessione xi. Februarii 18. "The archbishop declares to both houses the king's pleasure for singing and organ service in cathedrals."

Deinde per varias prorogationes virtute brevis regii convocatio continuata fuit usque ad Februarii diem decimum, anno M.DC.IX.

Synodus provinciae Ebor. Ex reg. Ebor.

SYNODUS provinc. Ebor. die Mercurii 9. die mensis Aprilis, M.DC.VI. in ecclesia metropolitana B. Petri Ebor. coacta, post tractatum inter praelatos et clerum habitum, unanimi consensu pro defensione regnorum et dominiorum domini regis, necnon pro eorum erga regiam suam sublimitatem observantia et obsequio quatuor ultronea et spontanea et voluntaria subsidia regiae suae munificentiae dederunt et concesserunt. Postea virtute brevis regii dat. 28. Maii directi episcopo Bristol. custodi spiritualitatis archiepiscopatus Ebor. synodus provinciae hujus ad

19. diem mensis Novembris prorogabatur. Antequam autem dies ille ingrueret, aliud breve regium dat. 14. Novemb. directum Tobiae Matthews, archiepiscopo Ebor. emanavit, prorogationes synodorum provinciae hujus tam tempore Matthaei Hutton, archiepiscopi, quam custodem spiritualitatis enarrans, ac novo archiepiscopo mandans juxta vim et formam ultimi brevis regii in synodo procedere. Ea post varias deinde prorogationes per literas regias patentes dat. 2. die Martii ad 10. diem Aprilis, M.DC.VII. continuata est.

Absolutio magistri Hill Procurator B. Wellens. etc. ab archiepiscopo Cant. facta.

Ex reg. Bancroft fol. 139. a.

RICHARDUS, providentia divina Cant. archiepiscopus, totius Angliae primas et metropolitanus, universis et singulis decanis, archidiaconis, canonicis, praebendariis, necnon rectoribus, vicariis, et aliis quibuscunque in ordine sacerdotali seu presbyterali constitutis, per

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provinciam nostram Cant. ubilibet constitutis, salutem et gratiam. Cum nos in sacra synodali convocatione praelatorum et totius cleri nostrae Cant. provinciae auctoritate regia nuper exercita et celebrata, rite et legitime procedentes, magistrum Willielmum Hill, sacrae theologiae professorem

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fefforem, unum procuratorum cleri dioec. Bathon. et Wellen. propter manifestam suam contumaciam in recedendo a dicta convocatione ante dissolutionem ejusdem, sine licentia nostra in ea parte petita et obtenta, pronunciaverimus contumacem, ipsumque in poena contumaciae suae hujusmodi a celebratione divinorum, et omnimodo exercitio jurisdictionis, et officii ecclesiastici, tam activo quam passivo, suspenderimus in scriptis; eundemque postea ex certis causis nos in ea parte specialiter moventibus, ad humilem petitionem ejusdem Willielmi Hill a sententia suspensionis hujusmodi absolverimus, et ecclesiae, functioni, et officio restituerimus, justitia mediante; vobis igitur conjunctim et divisim commitimus, ac firmiter injungendo mandamus, quatenus eundem magistrum Willielmum Hill sic, ut praemittitur, auctoritate nostra a dicta sententia suspensionis absolutum et restitutum fuisse et

esse, proque sic absoluto et restituto tam in ecclesia cathedrali Wellensi, quam aliis ecclesiis parochialibus, diebus dominicis et festivis, receptionem praesentium immediate sequentibus, inter divinorum solennia, dum major in eisdem ecclesiis ad divina audienda adfuerit populi multitudo, palam et publice denunciatis et declaretis, seu sic denunciari et declarari faciatis cum effectu. De diebus vero receptionis praesentium et executionis vestrae earundem, necnon et quid in praemissis feceritis, nos aut vicarium nostrum in spiritualibus generalem, et officialem principalem, cum ad hoc congrue fueritis requisiti, debite et auctentice certificetis, seu sic certificet ille vestrum, qui praesens nostrum mandatum fuerit executus. Dat. sub sigillo, quo in hac parte utimur, undecimo die mensis Aprilis, anno Domini M.DC.VI. et nostrae translationis anno secundo.

Archiepisc. Cant.
RIC. BANCROFT 2.

Anno Christi
1606.

Reg. Angliae
JACOB. I. 4.

Bulla papae Pauli quinti contra sacramentum fidelitatis. Ex Foulis Romish Treasons lib. X. cap. III.

DILECTI filii, salutem et apostolicam benedictionem. Magno animi moerore nos semper affecerunt tribulationes et calamitates, quas pro retinenda catholica fide jugiter sustinistis, sed cum intelligamus omnia hoc tempore magis exacerbari, afflictio nostra mirum in modum aucta est, etc. Non potestis absque evidentissima gravissimaque divini honoris injuria obligare vos juramento, quod similiter maximo cum cordis nostri dolore audivimus propositum vobis fuisse praestandum infra scripti tenoris, videlicet:

Ego A. B. etc.

Quae cum ita sint, vobis ex verbis ipsis perspicuum esse debet, quod hujusmodi juramentum salva fide catholica et salute animarum vestrarum praestari non potest, cum multa contineat quae fidei et saluti aperte adversantur.

Propterea admonemus vos, ut ab hoc atque similibus juramentis praestandis omnino caveatis; quod quidem eo acrius exigimus a vobis, quia experti vestrae fidei constantiam, quae tanquam aurum in fornace perpetuae tribulationis igne probata est. Pro comperto habemus, vos alacri animo subdituros esse quaecunque atrociora tormenta, ac mortem denique ipsam constanter appetituros potius, quam Dei majestatem ulla in re laedatis, etc.

Praecipimus vobis, ut illarum literarum verba ad amussim servetis et simpliciter, prout sonant, et jacent, accipiat et intelligatis, sublata omni facultate aliter illa interpretandi, etc. Datum Romae apud sanctum Marcum sub annulo piscatoris 10. calend. Oct. M.DC.VI. pontificatus nostri anno secundo.

Archiepisc. Cant.
RIC. BANCROFT 3.

Anno Christi
1607.

Reg. Angliae
JACOB. I. 5.

Inhibitio contra quosdam ludimagistros facta per archiepiscopum Cantuar. Ex reg. Bancroft fol. 146. a.

RICHARDUS, providentia divina Cant. archiepiscopus, totius Angliae primas et metropolitanus, universis et singulis clericis et literatis quibuscunque per provinciam nostram Cant. ubilibet constitutis, salutem. Cum in septuagesimo octavo canone libri Constitutionum five Canonum ecclesiasticorum tractat, et conclus. in synodo London. inchoata anno salutis M.DC.III. regnique serenissimi in Christo principis et domini nostri, domini Jacobi, Dei gratia Angliae, Franciae, et Hiberniae regis, fidei defensoris, etc. primo, et Scotiae xxxvii, ac postea ab eadem regia majestate approbat. et confirmat. statutum et ordinatum sit, quod in omni ecclesia parochiali vel capella, in qua curatus extiterit, qui in magisterii aut bacalareatus gradu consti-

tutus, vel alias habilis et idoneus ad docend. sit, et ad augenda victus sui subsidia, puerosque in principiis rectae fidei instituendos, operam munusque illud docendi lubens volet suscipere, nulla facultas five licentia ad pueros illius parochiae, in qua talis curatus existit erudiend. cuivis, nisi dicto curato per loci ordinarium concedatur; cumque dilectus nobis in Christo Robertus Walker, presbyter, in artibus magister, curatus ecclesiae parochialis de Torrington magna, et capella sancti Aegidii eidem annexa, in comitatu Devon. Exon. dioec. nostraeque Cant. provinciae propter exilitatem stipendii sui ibidem curis inserviendis, et meliorem suam sustentationem, docendi munus infra parochiam de Torrington magna praedict. exercuerit et exercet

ercet in praesenti, auctoritate licentiae reverendi in Christo patris confratris nostri domini Willelmi, Exon. episcopi moderni, illius loci ordinarii et dioecesani, sibi in ea parte factae et concessae, absque tamen clausula inserta in eadem inhibendi aliis infra parochiam praedictam docentibus, seu doceri volentibus; cumque quidam Thomas Potter, Antonius Hudson, et Johannes Jeoffrey docendi munus infra parochiam de Torrington magna praedicta sine aliqua licentia saltem legitima, ac contra formam canonis praedicti diu exercuerint et exercent in praesenti, in dicti Roberti Walker praedictum non modicum; cumque praeterea dictus Robertus Walker ad hujusmodi mala et incommoda curanda et evitanda petitionem suam in scriptis concept. circa vicesimum quartum diem Octobris, A. D. M.DC.IV. nobis exhibuerit, ac licentiam nostram ad hujusmodi docendi munus exercend. cum inhibitione inserta contra omnes alios docentes infra parochiam praedictam petierit et postulaverit; ac licet petitio dicti Roberti Walker nobis tanquam justa ac rationi et canoni praedict. consona videretur; dictum tamen Robertum Walker, ejusque causam, una cum petitione sua praedicta examinationi et considerationi praedicti confratris nostri domini Exon. episcopi alias retulerimus, et remiserimus; cumque dilectus Robertus Walker querelam suam priorem renovando aliam nobis nuper exhibuerit petitionem, nostramque opem imploraverit, quatenus sibi providere, eique docendi facultatem, ac nostras literas inhibitorias contra personas praenotatas, et alios quoscunque ludimagistri officium

infra parochiam praedictam exercent. in praedictum dicti Roberti Walker, concedere dignaremur; nos nolentes eidem parti querelanti in sua deesse justitia, sicut nec debemus, vobis igitur conjunctim et divisim committimus, ac firmiter injungendo mandamus, quatenus inhibeatis, seu inhiberi faciatis peremptorie praefatis Thomae Potter, Antonio Hudson, et Johanni Jeoffrey in specie, ac omnibus aliis et singulis ludimagistris, officium infra parochiam de Torrington magna praedicta exercentibus, seu exercere volentibus in genere, quibus nos etiam tenore praesentium sic inhibemus, ne ipsi a tempore executionis seu intimationis praesentium, praetextu aut colore cujusvis licentiae, aliquos pueros in literis grammaticalibus, aut in arte sive facultate legendi aut scribendi edoceant, aut ludimagistri officium ullatenus infra parochiam de Torrington magna praedicta exercent, seu eorum aliquis sic docere aut exercere praesumat, quamdiu praedictus Robertus Walker curae animarum parochianorum de Torrington magna praedicta deservierit, aut docendi munus ibidem exercuerit, sub poena juris et majoris contemptus. Et quid in praemissis feceritis, nos aut vicarium nostrum in spiritualibus generalem, et officialem principalem, vel alium judicem in hac parte competent. quemcunque debite certificetis, seu certificet ille vestrum, qui praesens nostrum mandatum fuerit executus, quoties et quando ad id ex parte dicti Roberti Walker fueritis requisiti. Dat. septimo die mensis Maii, anno M.DC.VII. et nostrae translationis anno tertio.

Archiepisc. Cant.
RIC. BANCROFT 3.

Anno Christi
1607.

Reg. Angliae
JACOB. I. 5.

Bulla papae Pauli quinti contra sacramentum fidelitatis. Ex Foulis Romish treasons lib. X. cap. 3.

DELECTI filii, salutem et apostolicam benedictionem. Renunciatum est nobis, reperiri nonnullos apud vos, qui cum satis declaraverimus per literas nostras anno superiore et 10. calend. Octobris in forma brevis datas, vos tuta conscientia praestare non posse juramentum, quod a vobis tunc exigebatur, et praeterea stricte praeceperimus ne ullo modo illud praestaretis; nunc dicere audent hujusmodi, literas de prohibitione juramenti non ex animi nostri sententia nostraque propria voluntate scriptas fuisse, sed potius aliorum intuitu atque industria, eaque de causa iidem persuadere nituntur, mandata nostra dictis literis non esse attendenda.

Perturbavit sane nos hic nuncius, eoque magis, quia experti obedientiam vestram, filii nostri unice dilecti, qui ut hinc sanctae sedi obedieritis, opes, facultates, dignitatem, libertatem, vitam denique ipsam pie et generose nihili fecistis, nunquam suspicati essemus potuisse vocari apud vos in dubium fidem literarumstrarum apostolicarum, ut hoc praetextu vos ex mandatis nostris eximeretis.

Verum agnoscimus versutiem atque fraudem adversarii humanae salutis, eisque potius, quam vestrae voluntati tribuimus hanc renitentiam. Eapropter iterum ad vos scribere decrevimus,

ac denuo vobis significare literas nostras apostolicas anno praeterito 10. calend. Octob. datas de prohibitione juramenti, non solum motu proprio, et ex certa nostra scientia, verum etiam post longam et gravem deliberationem de omnibus, quae in illis continentur, adhibitam, fuisse scriptas, et ob id teneri vos illas omnino observare, omni interpretatione secus suadente rejecta.

Haec autem est mera, pura, integraque voluntas nostra, qui de vestra salute solliciti semper cogitamus ea, quae magis vobis expediunt. Et ut cogitationes et consilia nostra illuminetis, a quo christiano gregi custodiendo nostra fuit praeposita humilitas indefinenter oramus; quem etiam jugiter precamur, ut in vobis filiis nostris summopere dilectis fidem, constantiam, mutuamque inter vos charitatem et pacem augeat, quibus omnibus cum omni charitatis affectu peramanter benedicimus. Datum Romae apud sanctum Marcum sub annulo piscatoris 10. calend. Septemb. M.DC.VII. pontificatus nostri anno tertio.

PETRUS STRAZO.

An

Archiepiſc. Cant.
RIC. BANCROFT 3.

Anno Chriſti
1607.

Reg. Angliæ
JACOB. I. 5.

An order ſet down by king James the firſt, for the tranſlating of the Bible.
Burnet's hiſt. reform. vol. 2. app. p. 366.

TH E places and perſons agreed upon for the Hebrew, with the particular books by them undertaken.

West- minster,	{	Mr. Dean of Weſtm.	{	Pentateuchon.
		Mr. Dean of Pauls,		The ſtory from
		Mr. Dr. Saravia,		Joſhua to the
		Mr. Dr. Clark,		firſt book of
		Mr. Dr. Leiſfield,		Chronicles ex-
		Mr. Dr. Teigh,		clusive.
		Mr. Burleigh,		
		Mr. King,		
		Mr. Thompson,		
		Mr. Beadwell,		

Cam- bridge,	{	Mr. Lively,	{	From the firſt
		Mr. Richardſon,		of the Chroni-
		Mr. Chatterton,		cles with the
		Mr. Dillingham,		reſt of the ſto-
		Mr. Harriſon,		ry and the Ha-
		Mr. Andrews,		giography; vi-
		Mr. Spalding,		delicet, Job,
Mr. Burge,	Pſalms, Pro-			
		verbs, Canti-		
		cles, Eccleſi-		
		aſtes.		

Oxford,	{	Dr. Harding,	{	The four or
		Dr. Reynalds,		greater Pro-
		Dr. Holland,		phets with the
		Dr. Kilbye,		Lamentations,
		Mr. Smith,		and the twelve
		Mr. Brett,		leſſer Prophets.
Mr. Fairclough,				

Cam- bridge,	{	Dr. Denport,	{	The prayer of
		Dr. Branthwait,		Manaſſe and
		Dr. Radcliffe,		the reſt of the
		Mr. Ward,		Apocrypha.
		Mr. Downs,		
		Mr. Boyes,		
Mr. Ward reg.				

The places and perſons agreed upon for the Greek, with the particular books by them undertaken.

Oxford,	{	Mr. Dean of Chriſt- Church,	{	The four Goſ-
		Mr. Dean of Win- cheſter,		pels, Acts of a-
		Mr. Dean of Wor- ceſter,		poſtles, Apo-
		Mr. Dean of Wind- ſor.		calyps.
		Mr. Savile,		
		Dr. Perne,		
		Dr. Ravens,		
		Mr. Haviner,		

West- minster,	{	Dean of Cheſter,	{	The Epiſtles
		Dr. Hutchinson,		of St. Paul.
		Dr. Spencer,		
		Mr. Fenton,		
		Mr. Rabbett,		The canonical
		Mr. Sanderſon,		Epiſtles.
Mr. Dakins,				

The rules to be obſerved in the tranſlation of the Bible.

I. The ordinary Bible read in the church, commonly called "the biſhop's Bible," to be followed, and as little altered, as the truth of the original will permit.

II. The names of the prophets, and the holy writers, with the other names of the text to be retained, as nigh as may be, accordingly as they were vulgarly uſed.

III. The old eccleſiaſtical words to be kept, videlicet, the word "Church" not to be tranſlated "Congregation," etc.

IV. When a word hath divers ſignifications, that to be kept, which has been moſt commonly uſed by moſt of the ancient fathers, being agreeable to the propriety of the place, and the analogy of the faith.

V. That the diviſion of the chapters be altered either not at all, or as little as may be, if neceſſity ſo require.

VI. No marginal notes at all to be affixed, but only for the explanation of the Hebrew or Greek words, which cannot without ſome circumlocution ſo briefly and fitly be expreſſed in the text.

VII. Such quotations of places to be marginally ſet down, as ſhall ſerve for the fit reference of one ſcripture to another.

VIII. Every particular man of each company to take the ſame chapter or chapters, and having tranſlated or amended them ſeverally by himſelf, where he thinketh good, all to meet together, confer what they have done, and agree for their parts, what ſhall ſtand.

IX. As any one company hath diſpatched any one book in this manner, they ſhall ſend it to the reſt to be conſidered of ſeriously and judiciously; for his majeſty is very careful in this point.

X. If any company upon the review of the book ſo ſent, doubt or differ upon any place, to ſend them word thereof, note the place, and withal ſend the reaſons; to which if they conſent not, the difference to be compounded at the general meeting, which is to be of the chief perſons of each company, at the end of the work.

XI. When any place of ſpecial obſcurity is doubted of, letters to be directed by authority to

to send to any learned man in the land for his judgment of such a place.

XII. Letters to be sent from every bishop to the rest of his clergy, admonishing them of this translation in hand, and to move and charge as many as be skilful in the tongues, and have taken pains in that kind, to send his particular observations to the company either at Westminster, Cambridge, or Oxford.

XIII. The directors in each company to be the dean of Westminster and Chester for that place, and the king's professors in the Hebrew or Greek in either university.

These translations Tindall, to be used, when they agree better with the text, than the bishops Bible; videlicet } Matthews, Coverdales, Whitchurches, Geneva.

XV. Besides the said directors before mentioned, three or four of the most ancient and grave divines in either of the universities, not employed in translating, to be assigned by the vice-chancellor, upon conference with the rest of the heads, to be overseers of the translations as well Hebrew as Greek, for the better observation of the fourth rule above specified.

Archiepisc. Cant.
RIC. BANCROFT 3.

Anno Christi
1607.

Reg. Angliae
JACOB. I. 5.

Convocatio cleri provinciae Ebor.

CONVOCATIO haec per breve regium dat. ad 17. diem Novembris, et ab eo die per aliud apud Westm. 6. die Julii a 10. die Aprilis ad undecimum diem Februarii prorogabatur.

Archiepisc. Cant.
RIC. BANCROFT 4.

Anno Christi
1608.

Reg. Angliae
JACOB. I. 6.

King James's letter to the bishop of London about the repair of St. Paul's church.
Rushworth's Collect. ii. vol. p. 90. and Frankl. Annal. p. 388.

JAMES, Rex.

RIGHT reverend father in God, right trusty and well beloved, we greet you well. The desire we have to remove the scandal that hath long lien upon our city of London especially, but in a manner upon the whole realm, for the neglect of the repairing of the steeple of St. Paul's church, moved us to quicken them by our letters to think upon some means, how the same might be taken in hand, and to offer of our own bounty to contribute liberally towards it; by occasion whereof we have been informed, that the whole body of the church is not only in decay, but in some danger of ruin in some parts thereof, if the same be not in time prevented, which grieved us not a little, that in a time of peace and plenty, which this realm hath of late years enjoyed, and in the flourishing estate of the church, so much neglect should be used by those, to whose care it appertaineth to preserve in their estate and decency such monuments, as though they be not of the essence of religion, yet never were neglected, but with blemish and disgrace as well to the ministers, as to the religion itself, to the use whereof they are dedicated, and do not leave unattainted the honour and zeal of those princes, in whose time such error happen, because it is no small part of their charge to have an eye to the preservation, as in general of all public monuments, so especially of those, that have been designed to the honour and service of God; from the sense whereof it ariseth that at this time we summon the duties of you, whom it concerneth, and require you to enter

into present consideration, how the decays of that church may be forthwith repaired, and the same restored not only to strength and safety, but to such decency, as is comely for so worthy and famous a monument of the piety of our ancestors. For it is not unknown to us, that among the possessions, which appertain to that see, there be lands especially appropriated to the fabric of the church, which if they had been continually employed to that use, those decays would not have got so far; notwithstanding if the former neglects have made the decay greater than the yearly revenue of those lands can repair, we shall be willing to give furtherance to any other means of supply, which shall be presented unto us. But because we would not have their ruins to run on, but some speedy cause to be taken for the redress thereof, and to the end we may understand what the state of the structures of that church is; we require you to cause the same to be viewed by skilful persons, and a survey to be made in writing of all the decays thereof, and what the charge of the reparation may amount unto, and likewise a certificate to be made to us of such possessions of the church, as be appropriated to the fabric thereof, and what yearly rent they be of, that we may see how the means do stand in proportion of the charge, and what will be requisite for supply; all which to be presented to us at our return and settling at our winter abode, and assuring yourself, that we will not fail to call for an account thereof. Given under our signet at Tuddington the 24th of July, in the sixth year of our reign of Great Britain, France, and Ireland.

Archiepisc. Cant.
RIC. BANCROFT. 4.

Anno Christi
1608.

Reg. Angliae
JACOB. I. 6.

The council's letter to the archbishop of Canterbury about arms to be provided by the clergy. Reg. Bancroft fol. 154. b.

"**S**ALUTEM in Christo." Understanding of some particular points not fully extended in a late letter written by the lords of his majesty's most honourable privy council to the lieutenants and commissioners of musters in the several counties, touching a view to be taken of the clergies forces among the rest, I have according to my duty obtained from their lordships a more full explication of their lordships meaning in that point, the copy whereof ensueth:

To our very good lord, the lord archbishop of Cant. After our right hearty commendations to your lordship; whereas in the letters of late written from us, by his majesty's commandment, for a general view and muster to be taken at this time of all the forces of this realm both of horse and foot, we gave order amongst other directions to the lieutenants and commissioners of musters in the several counties, that such of the clergy as have been heretofore appointed to find arms, and others of them that are meet in like sort to be charged, might be ordered to cause the same to be shewed at these musters; forasmuch as some question hath sithence been moved, as your lordship knoweth, of the manner and order meet to be observed of the clergy in this service of musters, and by that occasion we have been desired to deliver our direction more particularly in that behalf; we do therefore hereby signify unto your lordship, that we think it meet, that you do forthwith direct your letters to the bishops of the several dioceses within the province of Cant. requiring them to inform themselves of all such clergymen, in their several bishopricks, as well non-residents as others, as

are fit to be charged with the finding of horse, arms, or other furnitures, and thereupon to rate and cause them to be rated according to their abilities for that service; which being done, it shall suffice that the bishops do only send unto the lieutenants of those counties in their dioceses, or in such counties, where there are no lieutenants to the commissioners of the musters due and orderly certificates, containing as well the names of such ecclesiastical persons, as they have rated, as also the several provisions of horse, arms, and furnitures, that the said clergymen be appointed to have in readiness; whereupon order may be taken for a view and muster to be had of them, either with the rest of the forces of the county, or apart by themselves, as shall be thought most expedient for his majesty's service, and without any unnecessary charge or trouble of the said clergymen, herein we pray your lordship to give direction accordingly. And so wish you right heartily well to fare. From Hampton court the 19. of September, M.DC.VIII.

Your lordships very loving friends, etc.

Your lordship hereby fully understandeth their lordships pleasure, what course is to be held in this business, with their lordships said directions, I pray you be careful to see speedily accomplished in such sort, as that his majesty may thereby receive good satisfaction; whereof not doubting, I commit your lordship to the tuition of almighty God. At Lambeth the 21. of September, M.DC.VIII.

Your lordship's loving brother,

Archiepisc. Cant.
RIC. BANCROFT 5.

Anno Christi
1608.

Reg. Angliae
JACOB. I. 6.

Orders enjoined by the lord archbishop of Cant. in his metropolitical visitation of the diocese of Winchester, to be observed by the warden and scholars of St. Mary college of Oxford near Winchester, anno M.DC.VIII. Reg. Bancroft fol. 220. b.

IN PRIMIS, That no timber trees growing in the woods or upon the lands of the college, be given to any whatsoever upon any occasion, nor that any of the said timber trees be sold, but upon very extraordinary and urgent occasions, and then not without the consent of the more part of the fellows, unless it be for the necessary reparations of the college-houses; to be allowed by the warden, at the motion of the rider or one of the burfers.

II. Item, That the fellow, which rideth the progress with the warden, be not only made privy to all the fines raised upon the grants of copyholds, but give his consent, for the time that he is a rider, to the pitching of the fines assess-

ed either by the warden, or the steward, and that neither the steward, nor he, who occupieth that place, shall by any means without the warden and the rider of the progress, rate or appoint any fines for copyhold lands, to the use of the college, or any other; also that an extract of the grants of copyholds, and of fines raised thereon, shall yearly be made, that at the time of supervision they may be presented and delivered to the warden and supervisors of New college in Oxford, if they shall think good to call for them, that so it may appear what sincere dealing there is for the profit of the college.

III. Item, That the warden's allowance for his

his diet be continued according to the rate lately agreed upon in writing by the warden, subwarden, and fellows, and this to be allowed to the warden, as well in his absence as in his presence, because he is contented with a lesser rate than formerly he hath had, and now requireth no allowance for festival and gaudy days; saving that when he lyeth abroad upon the charge and expence of the college, the proportion and allowance made unto him at home, shall be but according to the rate and number of those, who remain at home upon the college allowance.

IV. Item, That the diet and allowance for the fellows be according to the proportion lately agreed upon in writing by the warden, subwarden, and fellows, and so to continue, unless it shall appear, that the house is not able to bear the charge thereof, and then to be ordered by the consent of the warden, subwarden, and major part of the fellows; and that the diet of the fellows shall not be taken, but only in the college hall, except it be in time of sickness to be taken in their chambers, by the allowance of the warden, or in his absence, of the subwarden, and that no bread and beer be carried out of the college either into any of the fellows private houses, or to any other place.

V. Item, That no three of consanguinity or affinity with the warden or any other of the fellows, shall hereafter be permitted to be fellows of that house together, and that no two of any such consanguinity or affinity be chosen, or suffered to be officers in any one year: consanguinity in this place being not meant to be farther extended, than to cousin germans, nor affinity farther than to the same proportion of degree.

VI. Item, That the store of the college in lead, glass, stone, timber, and such like necessities for building be not taken or employed by the warden or any other member of that house, without the consent of the three officers or the most part of the fellows, and that by no means they be employed to any private use out of the said college; except they be first bought and paid for by the party, that will so use them.

VII. Item, That neither the warden nor any fellow of that house, make any new additions, alterations, or buildings at the college charge, to those, that are already set up in the college, without consent of the most part of the fellows.

VIII. Item, That the park called Stoke park, be not alienated, leased, or applied to any private man's use, but that the wood and all other profits rising from the same, be converted to the public good of the house; and that it shall not be lawful for the occupier of that park to till or convert any part of that park to his private use, but such as shall be allotted by the warden and more part of the fellows, to be continued or altered, as they shall find cause: and at every audite it shall be straightly examined by those, who take the accompts, whether the best profit be made for the college, or no; and that the said

accompts so examined shall be ready to be shewed to the supervisors, if they will call for them.

IX. Item, That the college horses maintained in the said park, and likewise kept in the college stable, be not employed to any private man's use, neither shall the warden put any other horses of his own, or his friends, into the said park, saving such as are allowed unto him by the college, neither shall any fellow, or other person belonging to that college, put any horse of his own, or of any other into the said park, upon any pretence whatsoever.

X. Item, That the wardens of both colleges and all the other electors yearly do not singly and for themselves, name any scholar to be chosen into that college, or to be sped from thence unto New college in Oxford, but that they jointly concur for the electing of those which are most worthy, and that no man shall repute, or as far as in him lieth, give cause, that other men repute this or that place, which is to be filled, to be the private place, nomination, election, or designment of any one elector, but to be the joint and public choice and election of the whole number, or at least of the greatest part of them.

XI. Item, That no schoolmaster, usher, chaplain, clerk, choirister, or servant of that college be elected or accepted into the same for any money or reward, directly or indirectly, and that neither usher nor schoolmaster be admitted into that college, before they have subscribed to the articles mentioned in the 77th canon, and that neither the schoolmaster, usher, or any fellow of that house at any time extort, challenge, or insert into his accompts, or any ways take or receive any sum of money, for chamber rent, or for being tutor to any of the scholars within, or without the college.

XII. Item, That neither the warden, nor any officer, or fellow of that house obtrude on the college their bad or unclean wheat, and barley made into malt, growing at their parsonages, for such prizes as pleaseth themselves, to the hurt of the rest of the fellows, and scholars there, as well in their diet as in their expences; and that it shall not be lawful for any servant of that house, be he baker or brewer, or any other, to accept and receive to the college use any such corn, without the oversight and allowance of the warden, subwarden, and bursters for the time being, and the price first agreed upon by them.

XIII. Item, That the warden journeying to London, and abiding there about the business of the college, as well the causes of his going, as his expences for the time, be duly considered by those, unto whom by statute it appertaineth; who are carefully to look, that no superfluous burthen be laid upon the college.

XIV. Item, That no grant of land, house, or of any other inheritance of the said college, nor any weighty cause, which may prejudice or indanger that house, be concluded without the deliberate and express consent of the greater part of all the fellows of the said college, collegiately assembled; and that nothing be sealed

ed with the common seal of that college, but in the presence of all such as are at that time fellows of the college.

XV. Item, That no man shall receive any part of the college rents, but such as are appointed thereto by the statutes of that college, and that the rents so received shall presently be locked up in the common chest, and not taken thence, but by the consent of those whom the founder hath appointed for that purpose; and that no bargain for wheat, malt, or any other victuals or provisions shall be taken upon trust to the use of the college, at any other prices, than shall be first agreed upon by the warden, subwarden, and bursers, and that whosoever shall be sent or trusted to make provisions in gross for the college (other than for the week's expences) upon his return, or within two days after any such bargain made, shall yield a true accompt thereof unto the said warden, subwarden, and bursers, or to so many of them as be then at home.

XVI. Item, That before all elections of fellows and officers, a sufficient time and public or personal warning be given to all the fellows, that they may assemble to the said election, and that no man be accounted or admitted, as lawfully elected to any fellowship or office in that college, without the consent of the warden, and the greater part of those, which at that time are fellows of the said college.

XVII. Item, That the common servants of the college, as the bakers, brewers and butlers, be not entertained with the wardens liveries or wages, but that they be obedient and subject to the subwardens and bursers check and correction, when they do amiss, as other the college servants should be, and are.

XVIII. Item, That the supervisors do yearly

come to the election on the Monday night, and depart on the Friday morning next following, and that no fellow of the college at the election time do bring in any strangers to meals.

XIX. Item, That the fellows, when they go out of town, shall signify the same unto the warden, as for other reasons, so also that in the mean time commons may be spared, to the behoof of the college.

XX. Item, That for so much as the commoners ought not, by the statute, to be burthened to the college, they shall every one of them hereafter pay for their commons four shillings by the week, in the same manner, that the former weekly sums for their commons were paid.

XXI. Item, That the accompts for every quarter be duly cast up; and especially that the accompts for Michaelmas quarter be ended and perfected before the beginning of the audit.

XXII. Item, That the bursers, upon the ending of their accompts, shall pay and satisfy all things due to the college, or put in sufficient caution within one month to do the same, or to lose all benefit, which they should reap in and of the college, till all things be satisfied.

XXIII. Item, That the cook do monthly yield an accompt of his vessels, and the bursers yearly bring in their inventory, and so also the warden to do for those things that be within his charge.

XXIV. Item, That each fellow, while it is their course to celebrate divine service, shall lie within the college, and for the week of their course, be every day present at morning prayer at six of the clock, and so to give good example and encouragement unto other for frequenting the same.

Archiepisc. Cant.
RIC. BANCROFT 5.

Anno Christi
1608.

Reg. Angliae
JACOB. I. 6.

Orders enjoined by the most reverend the lord archbishop of Cant. in his metropolitanical visitation anno M.DC.VIII. to be observed by the dean and chapter of the cathedral church of Canterbury. Reg. Bancroft fol. 226. b.

I. **T**HAT the epistle and gospel be every Sunday and holy day read, according to the book of Common Prayer, in some convenient place near the communion table, and in copes.

II. That upon solemn feast days the sermon be made before the communion, the moveable pulpit being placed either in the presbytery or quire, and every afternoon of such days, there be a sermon for the city in the ordinary place.

III. That the almsmen do attend daily at the church, and that those, who do altogether discontinue, be paid no wages, till they have given a reason of that their discontinuance; that such among them as are either notorious drunkards, or infamous livers, and are likewise negligent at divine service, be severely admonished, and if thereupon they be not reformed, that then they also have no wages paid them.

IV. That the poor singing men, especially such as are cunning, diligent, and inoffensive, having but mean stipends, may have, for their better encouragement and sustenance, some more sufficient allowance appointed them, at the discretion of the dean and chapter, and that they certify, what they will allow them.

V. That the choristers be not admitted upon their masters allowance, but that the dean do appoint them to be examined and approved by some others of the quire, and that their said master do not take of them a year's wages at their first entrance.

VI. That the said master, under pretence of going to the grammar or writing school, do not suffer any of his scholars to be absent in the afternoons, without the privy and special licence of the dean; and that for playing days he doth observe the order, which is set down for the grammar school.

VII. That

VII. That the register, or chapter clerk, be sworn, as are other members and officers of the church, with addition "de secretis capituli non revelandis."

VIII. That the usual stock of the church be duly kept in the officer's hands, and that accompt be accordingly given of it at every audit.

IX. That the particular bills of expences be written in a book, and that at the audit, every prebendary present and at home, be called to the view of the accompt and the examination of the particular bills of expences, and that after the accompt made and audit ended, the said book of particular expences be left in the dean's custody.

X. That none dwelling within the church do keep swine, or other cattel, to run at large in any of the common courts.

XI. That such houses as have been heretofore daytime shops, be demised, as formerly they have been, and that none be suffered, married persons or widdow-women especially, to inhabit and lodge in them.

XII. That the wall, allowed Mr. archdeacon in the Coventgarden, be no further extended than to the end of Dr. Hovenday's stable, and that no more of that garden be taken in, than doth range with the said wall, and shall be for the ease of several tenants, they being at the charge to build up, and continue on the like wall, in all respects, to the archdeacons; provided that in the said wall no door be made into the church by any tenant or inhabitant now or hereafter, except the same shall be first allowed by the dean and chapter, and though so allowed, yet, upon inconvenience found, no longer to be suffered, than shall be with the liking of the dean, the lord archbishop being made acquainted with that inconvenience, and approving the same.

XIII. That great care be had for the preservation of all the church woods, that none be sold but by the consent of the dean and chapter, being first surveyed by the dean, or one ap-

pointed by him, and by the officer for the time being.

XIV. That especial regard be had in allotting of wood for private use, no prebendary to have yearly above three acres; and those to be spent within his house; except the archdeacon who is charged with greater hospitality than the rest, he to have five acres, and the dean six acres.

XV. That no timber trees be felled in any of the church woods, but by the consent of the dean and chapter, and that by the appointment and setting out of the officer for the time being and of the dean, or one assigned by him.

XVI. That such timber trees as are yearly brought in for the service of the church, be taken by no prebendary, tho' an officer, nor employed to any private use, except the same shall be first allowed by the dean and treasurer; and that the store of the church in lead, lath, stone, brick, lime, and other necessities for building, be likewise not taken upon any private occasion, but by the said consent.

XVII. That the keeper of the store be a sworn officer, and at every audit do give in the particulars of his accompts, as other officers do.

XVIII. That no addition to private houses, or alteration or building be made within or about the church, but by the consent of the dean and chapter, and that no officer do the same about his own house in the year of his office.

XIX. That the archdeacon of Cant. have place in the quire next the dean and vicedean, likewise at all meetings within and without the church, and that the prebendaries, though they be no doctors, have precedence of the doctors, both in the quire, preaching place, and at other meetings within the church.

In witness hereof we have hereunto put our archiepiscopal seal, given at our manor of Lambeth the fourth day of January, in the year of our Lord God, after the computation of the church of England, M.DC.VIII. and of our translation the fifth.

Archiepisc. Cant.
RIC. BANCROFT 5.

Anno Christi
1608.

Reg. Angliae
JACOB. I. 6.

Convocatio cleri provinciae Ebor.

CONVOCATIO cleri provinciae Ebor. per breve regium ab undecimo die Februarii

ad 28. diem Octobris, et ab illo ad 10. Februarii prox. continuabatur.

Archiepisc. Cant.
RIC. BANCROFT 5.

Anno Christi
1609.

Reg. Angliae
JACOB. I. 7.

Convocatio praelatorum et cleri provinciae Cantuar. Ex MS. Mil. Smith apud episc. Assaven.

CONVOCATIO praelatorum et cleri provinciae Cantuar. ad decimum diem Februarii anno M.DC.IX. per prorogationes varias continuata, nihil edidit scitu dignum donec die nono mensis Maii, anno M.DC.X. domus superior synodi colloquium institueret cum inferiori de moderno valore ecclesiarum, et de pluralitate

beneficiorum; cujus epitomen videas in literis archiepiscopi Cantuar. infra ex registro descriptam.

In tricesima sexta sessione, Julii 4. "Crosshaw, clerk, was convented for publishing an erroneous book. He confesses and is ready to retract. The archbishop accepts his submission,

orders him to retract, and dismisses him."

Sequenti die 24. mensis Julii convocatio per breve regium ad 17. Octobris prorogabatur, in cujus 14. sessione mensis Decembris per aliud breve, sede archiepiscopali vacante, deca-

no et cap. Cantuar directum continuabatur ad 11. diem Februarii; quo die per aliud breve ab episcopo London. commissario custodum spiritualitatis sedis Cant. dissolvebatur.

Archiepisc. Cant.
RIC. BANCROFT 6.

Anno Christi
1610.

Reg. Angliae.
JACOB. I. 8.

An act for the better furnishing the court of convocation with members fit for so high and necessary an assembly. Out of a MS. in Sir Simon D'ew's library containing grievances relating to several matters in church and state laid before the parliament M.DC.X. [Mr. Turner of the Temple said to be the deviser of these notes.]

FORASMUCH as the lawful assemblies of the clergy of this realm by the king's writ in the court commonly called the Convocation, is well observed not only to be warranted by the word of God, and the example of the primitive church, to be of most worthy service and use for the ordering of matters touching the institution of the soul, and divine knowledge, for the reformation of conscience, and for the direction of the clergy in the execution of their duties, in the administration of the word to the edification of the people with the more profit and fruit in their particular congregations, and consequently most necessary that the members of the said court chosen to holy service should be of the worthiest persons both for life

and doctrine; be it therefore enacted, that from henceforth no ecclesiastical person shall be chosen and sent to the said court of convocation, as a member of the said court, to treat of matters belonging to the jurisdiction thereof, but such as shall be resident upon their cures, and shew their honest and true care over their congregations by their weekly labour amongst them in the due administration of the word. And that no person whatsoever be from henceforth allowed to have any voice in the choice or election of any person to be of the court or assembly, but such as then shall be resident also as aforesaid, and weekly exercising their ministry in their cures.

A proclamation for the due execution of all former laws against recusants, giving them a day to repair to their own dwellings, and not afterwards to come to the court, or within ten miles of London without special licence; and for disarming them as the law requireth. And withal that all priests and Jesuites shall depart the land by a day, no more to return into the realm; and for the ministring of the oath of allegiance according to the law.

THOUGH the principal care that a religious and wise king ought to have, should be for the maintenance and propagation by all godly, lawful, and honest means, of the true catholic and christian religion, and to that effect as he must plant good seed with the one hand, so to displant and root out with the other, as far as he can, the cockle and tares of heresy, that do ordinarily grow up amongst the Lord's wheat; yet hath our nature been ever so inclined to clemency, especially we have ever been so loth to shed blood in any case that might have any relation to conscience (though but of a deceived and disguised conscience) as notwithstanding the care and zeal that we have ever carried for the maintenance and propagation of this our ancient and true catholic religion, which we profess, yet hath our said natural clemency ever withholden us from putting the law to that due execution against popish priests and recusants, which their evil deserts at divers times towards us, and their insolent and proud carriage, especially of late, did justly deserve at our hands.

But not that their evil behaviour at home,

manifested first by the priests treason immediately after our entry into this kingdom, and next at the horrible powder treason, the unnatural cruelty whereof is never to be forgotten, joined to this horrible and lamentable accident abroad, we mean the devilish and unnatural murder of the late French king our dearest brother, hath so stirred up the hearts of our loving people represented by the houses and body of parliament, as both the houses thereof have joined in making an humble petition to us to be more wakeful than heretofore we have been, upon the courses and steps of the papists. And to this effect, that we would be pleased to put in due execution hereafter without any longer conveniency the good and wholesome laws of this realm made against them, the most part whereof were made before our entry into this kingdom, and so were we at our coronation sworn to the maintenance of them: we have just reason according to their humble desire, to be more careful than heretofore we have been in seeing our said laws put in due execution. For since in this case, our conscience, in regard to religion, our honour, in regard there

is nothing craved, but the execution of our laws, our safety, and not only of us but of all our posterity, in regard to the papists bloody doctrine, that make martyrs and saints of such as kill their own kings, the anointed of God; so as we now see to our horror their detestable doctrine, so oft put in practice, and so that butcherly theoric and practice so linked together, that a sinful or wicked man can by no means so well redeem his soul from eternal damnation, as by murdering a king that is either an heretic by their interpretation, or a fautor of heretics: these three motives we say, so justly grounded upon conscience, honour, and safety, together that the motion hereof hath moved from our people, cannot but stir up that princely and provident care in us, which every religious, just, and wise king ought to have upon such respects and considerations.

And therefore being informed, that at this time especially, there is a greater resort made of recusants to this our city of London, than hath been at any time heretofore, notwithstanding that by the laws of our realm they ought all to be confined, and remain within five miles of their dwelling places; it is our express will and pleasure to discharge like as by these presents we do discharge, all by-past licences granted unto them for their repairing hither. And although this time of parliament, and the creation of our eldest son be so unfit and dangerous a time for their abode here, as hereupon our parliament hath humbly moved us, that they might all be sent home and discharged this city, before the creation of our said dearest son; yet have we thought good to retain so much of our accustomed clemency, weighing so little any of their malicious plots, or the hazard thereof during that time in comparison of our said clemency, as in consideration of such important business as they may have concerning their particular estates in the next term, we are contented to give them time untill the last day of June, which is after the end of the next term; betwixt and which time, they are to repair again to their own dwelling houses and places of confining, according to the law, not presuming at any time hereafter, to repair to this our city and chamber of London, or to our court, or to the court of our dearest wife the queen, or of the prince our dear son wheresoever, or within ten miles of London, without special licence had thereunto, under pain of the severe execution of our laws upon the contravenors, and of highest contempt against our authority joined thereunto.

And we are likewise pleased upon the said humble petition of our said loving subjects assembled in parliament, straightly to charge and command our justices of peace in all parts of this our realm, that according to our laws in that behalf, they do take from all popish recusants convicted, all such armour, gunpowder, and ammunition of any kind, as any of them hath either in their own hands, or in the hands of any other for them, and see the same safely kept, and disposed according to the law; leaving them for their necessary defence of their

house and persons, so much as by the laws is prescribed; wherein as our said justices have been hitherto too remiss, so if we shall find this our express commandment neglected, or not diligently executed, as is fit, and as the importance thereof doth require, we will make them know by severe punishment, what it is to be careless of our royal commandments in cases of this nature.

And because that priests and Jesuits do more abundantly swarm as well throughout our whole kingdom, as within our city of London, than ever they did heretofore, not only coming daily home in flocks, to the high contempt of our authority and laws, but even a number of those particular persons amongst them, who after they have been kept in prisons and convicted by our laws, yet were out of our clemency, put forth of the country again upon condition not to return, have notwithstanding presumed to return again into this country, in high contempt of our great clemency and favour extended towards them, thereby as it were, seeking and begging at our hands their own just punishment; we have therefore thought good, for staying the like abuses and inconveniences in time to come, to give from henceforth free passage and course to all such laws as are now in force, and ought to be put in execution against such offenders. And yet being ever willing to mix some part of our clemency with the rigour of the law, notwithstanding that in the first year, and afterwards in the fourth year of our reign, we did by two several gracious proclamations give a certain day to all priests and Jesuits, for transporting themselves out of our dominions between and the said day, at that time intimating all rigour unto them, that should thereafter return within our kingdom; yet are we content notwithstanding their contempt of this former grace twice before offered unto them, yet to renew the same now again this third time: and do therefore by these presents declare and publish, that it shall be lawful for all manner of Jesuits, seminaries, and other priests whatsoever now in this kingdom, as well those whom we shall vouchsafe to deliver out of prison, as those that are not yet apprehended, freely and safely to depart forth of our realm, so as they make their repair unto any of our ports between the day of the date of this proclamation, and the fourth day of July next, for the same purpose there to transport themselves with the first opportunity into any foreign parts; admonishing and assuring all such Jesuits, seminaries, and priests of what sort soever, departing upon this our pleasure signified, as also all other that have been heretofore released by our gracious favour in the same condition, that if any of them shall hereafter return into this our realm again, that their blood shall then be upon their own heads, and upon those that shall send them, seeing that by so doing they shall not only incur the danger of our laws, but also a high and treble contempt of our gracious favour and clemency now extended towards them.

And in general, since no man can pretend ignorance

ignorance of our laws, that all Jesuits and priests of what order soever, and their senders, may hereby be admonished to beware any further to tempt our mercy, in presuming to repair any more within this our kingdom, in regard of their known peril, and of the care that we are resolved to have for preserving of our good subjects from their danger of body and soul, since their errand can be no other here, but only for diverting of our good subjects hearts from their due obedience both to God and us.

And lastly, because the horror and detestation of the powder treason in the minds of our parliament bred amongst other things, that oath of allegiance to be taken by our subjects, so highly impugned by the pope and his followers, as we are enforced by our own pen to take in hand the maintenance of our cause for that oath, which howsoever odious it was to the pope, yet was it only devised as an act of great favour and clemency towards so many of our subjects, who though blinded with the superstition of popery, yet carried a dutiful heart towards our obedience; for hereby was there a separation and distinction made between that sort of papists and the other pernicious sort, that couple together that damnable doctrine and detestable practice before mentioned; there-

fore in consideration that the said oath serveth to make so true and merciful a distinction between these two sorts of papists, as is already said, we cannot but hold it most convenient for the weal of all our good subjects, and discovery of bad people, that greater care shall be used hereafter in the general ministration of this oath to all our subjects, than hath been heretofore used.

And therefore it is our express will and pleasure, and accordingly we do hereby straightly charge and command all and singular our bishops, justices of assise, justices of peace, and all other our officers, whom it may concern, to minister the same to all such persons, and in all such cases, as by the law they are enabled, knowing that the meaning of the law was not only to authorize them to do it when they would, and to forbear it at their pleasure, but to require it at their hands, as a necessary duty committed to them, and imposed upon them, as persons of chief and principal trust under us, for the good and safety of us and our state. Given at our palace of Whitehall the second day of June, in the eighth year of our reign of great Britain, France, and Ireland, anno Domini M.DC.X.

Archiepisc. Cant.
RIC. BANCROFT 6.

Anno Christi
1610.

Reg. Angliae
JACOB. I. 8.

The archbishop of Canterbury's letter about pluralities and other matters relating to the church. Reg. Bancroft fol. 172. b.

SALUTEM in Christo." That which I should have signified to your lordship at your being here, had we met together, I am now to impart unto you in this sort. Upon the grievances exhibited unto his majesty by the lower house of parliament, he hath been pleased to undertake much on our behalf, and to lay a great burthen upon me, which I am not otherwise able to bear, but by the assistance of your lordship and others our brethren the bishops. These are therefore, in discharge of mine own duty, very heartily to pray and require your lordship, that you forthwith inform yourself, how many ministers have two benefices within your diocese, and whether every one of them hath a preaching minister to supply his absence where he doth not reside himself, according to the XLI. and XLVII. constitutions; and if herein you find any want, send presently for the parties, and charge them by virtue of the said canons, and in his majesty's name, as they will avoid his displeasure, that without any delay they supply that defect. Perhaps some may give unto your lordship froward answers, and either refuse or delay to give you satisfaction herein; which if they do, I require you, in his majesty's name, to suspend them for their contempt, and to certify me thereof presently, that I may give order to stay all inhibitions in that case. If any such person keep the benefice in his own hands, whereupon he doth not reside, then I would have you to sequester the fruits of

it, and to allow out of them a reasonable portion for a curate that is a preacher. If a pluralist, having one benefice in your lordship's diocese, be resident in another, then you to call him by process; if he be a delinquent herein, I heartily desire your lordship to use your best diligence in this matter, to the end that notice thereof may be had throughout your diocese before the next session of parliament; and fail not to write unto me before that time what you have done therein, and upon any wilfulness shewed to your lordship, or other impediment, whereby you cannot prevail with some party, let me presently be informed of his name, and I will send for him myself. Secondly, you are to inform me of the names and degrees of all those that have two benefices within your diocese, or but one in your diocese and another in another diocese. Thirdly, it is his majesty's straight charge, that you require all your prebendaries to be resident upon their benefices, and there to preach every Sunday, according to the tenor of two canons made in that behalf; and taking the course beforementioned, write unto me the names of such as shall refuse to obey you herein. Fourthly, you must be careful and diligent in the administering of the oath of allegiance, according to the trust reposed in you by the statute made this session, which I pray you procure forthwith, as soon as the same, together with the rest shall be printed: they are now in the press. Fifthly
your

your lordship is to use the best means and help you can, by the assistance of all your officers, that his majesty may receive from you, to be delivered unto him by me, the number of all recusants men and women within your diocese, in as exact a manner as you can possibly procure it, and this not only to be done this vacation, but every year hereafter: it is his majesty's direct commandment. Sixthly, you are to give order to your officers, to use their best endeavours and diligence, that all recusants in every parish may be presented unto them, and then take some pains yourself to see, that they be all truly certified to the judges and justices in their sessions and assises, to the end they may be there indicted and convicted; and when your lordship doth make your certificate, as is aforesaid, write to the judges and justices, as having received direction therein from me; then they will be careful for the indicting and conviction of such, as shall be presented unto them; letting them know, that if I may be certified of any slackness herein of them, I will assuredly acquaint his majesty with it. I have heard that when recusants are presented, there is some negligence in setting down their true names, whereby they oftentimes escape from being proceeded with; I pray your lordship give your best directions for the prevention hereof. If any gentleman, who keepeth any recusants in his house, shall refuse to deliver to the churchwardens, or to any, whom your lordship shall send unto him, the true names of them; write unto me thereof, and I will cause him to be sent for by the lords of his majesty's privy council. Seventhly, until by the means aforesaid, that all recusants within your diocese shall be convicted, take such order in any wise with them, as that they may be all excommunicated, and accordingly denounced in your cathedral church, and send me the names of all that shall be so denounced, with their qualities, callings, and abilities, that I may make such use thereof, as shall be fit for the good of the church. Eightly, I will be bold as of myself straightly to charge you, that forasmuch as our excommunications of recusants are utterly by them contemned, and for that they find more favour, than I would wish, to the increasing of their obstinacy, you do forthwith give your order, if you list in my name, to all the ministers of your diocese, that they do not bury neither in the church nor the churchyard, nor suffer to be buried, as much as in them lieth, any popish recusants, that die excommunicated. We that are bishops, have much to answer before God for our slackness hitherto in this point; the law therein being our warrant. Ninthly, I must likewise charge you to examine very narrowly the proceedings of your chancellors, commissaries, archdeacons, and officials; for whilst we repose so much trust in them as we do, and they intend little, I mean especially chancellors, commissaries, and officials, but their own profit, many true complaints and mischiefs do indeed thereof ensue. If in your lordship's care to reform these kinds of abuses, you find any chancellors, commissaries,

or officials stubborn and disobedient, write unto me thereof, for we may no longer, to our utter discredit, leave these abuses unreformed, and I am well assured, that wherein we shall want ability, his majesty will yield unto us sufficient strength. Tenthly, it being more than notorious, that many parsons and vicars, and especially such as have two benefices, do suffer their houses to run into decay, where they do not reside themselves; it is his majesty's pleasure, that you take present care in that behalf, by appointing all your underofficers to look upon presentments already made of such defects, and otherwise, by all ways and means to inform yourself, and thereupon to call the parties offending herein before you, and to take such order as that either they themselves shall presently repair their houses, or else do you sequester their livings, allotting a fit portion for them to live upon, and causing the rest to be so employed; for besides that such neglecting of their houses doth argue too much greediness, and is a great scandal to the best affected in their parish, it is very injurious to their successors. Eleventhly, there have been many constitutions formerly made concerning the apparel of ministers, but never was their pride in that respect so great as now it is, from the dean to every curate, nothing being left that way to distinguish a bishop from any of them; you shall find deans usually either in their velvet, damask, or sattin cassocks, with their silk netherstocks; nay some archdeacons and inferiour ministers, having two benefices, are likewise for the most part so attired; to omit that their wives, in the cost and vanity of their apparel, do exceed as much and more, which is one principal motive why there is such exclamation against double beneficed men, and such as beside their two benefices have some other preferment "fine cura". What to move your lordship in this behalf I well know not, but as any so attired shall come before you, let him know particularly, and in my name, that they do greatly forget themselves in these so chargeable vanities, many of them having more care, to their own scorn, so to garnish themselves and their wives, than to furnish their studies with such books, as might enable them the better to discharge their duties, as well for the confirmation of the truth, as for the refuting of all their opposites and adversaries. Assuredly if at our next session, your lordship, and so the rest of my brethren shall not be able to inform me, that upon this my letter and admonition there is some hope, that these abuses will be redressed, I will be an humble suitor unto his majesty, that some straight order, by his direction, may be taken in that behalf, for that this so chargeable a vanity should not be still continued; whilst many other men endure great want, it is very intolerable; seeing that by such their bravery in apparel, they do procure no manner of credit unto themselves, but rather, upon my knowledge, great envy and heartburning against their calling and estates. These and some other abuses being oft objected unto me,

do oftentimes plunge me, as being always ready to cover and excuse our imperfections of the clergy; but I must be forced to leave them, if they will not be content to be advised by me. Twelfthly, I have been content, that all bishop Jewel's works should be printed together in one volume, to the end that every parish in England might have one of them. In the late queen's time of worthy memory, every parish was driven to buy "Erasmus's Paraphrase upon the New Testament," and the said bishops "Reply against Harding;" one of the said books delivering plainly to every man's understanding the true sense and meaning of the whole New Testament, and the other containing a very notable and learned confutation of all the principal points almost of popery; and therefore forasmuch as the same true causes, which moved her late majesty to impose the said books upon every parish, do remain still in force, there being more recusants now than at that time; I have thought it my duty very heartily to intreat your lordship, so to deal with the chancellor, commissary, archdeacons, and officials, as by their means, and your own, with the rest of the preachers and ministers of your diocese, they may induce their parishioners to be willing, every parish to buy one of the works of bishop Jewel; and I am so far persuaded of your lordship's ability to prevail with your clergy herein, as I did likewise in as hearty manner desire you to send for as many of the said books ready bound unto Mr. Norton, as there are parishes in your diocese, that hereby the said parishes may have those books near at hand, which will the better encourage them to buy them. What you shall be content to do herein, I know his majesty will take in very good part, being ever of his most princely goodness ready to like

and approve of that, which may tend to the instruction and benefit of his loving subjects; and besides, you shall bind me very much hereby unto you, in that I gave encouragement to the printing of the said works in one volume, to the end, that the whole realm might in that sort be furnished with them; and for the prices of them I will take order that they shall be reasonable. Lastly, his majesty is not well pleased with the negligence generally of almost all the bishops in England, touching the collections prescribed heretofore by his majesty, for the building of the church and chapels of Arthure in Cumberland; and therefore I pray you in any wise call your officers before you, and take a strict accompt of them; first, how many collections have been made, and where the money remaineth; for I am persuaded that in many dioceses, much doth rest in the collectors hands. Besides, there be sundry dioceses wherein there hath been no collection at all, and in some not past one or two. Let me receive your lordship's particular letter to be shewed to his majesty, how his pleasure and directions touching this collection, have been accomplished in your particular diocese, after you have informed yourself of the premisses, and done the best you can in this matter. I must tell your lordship, that I am to send to his majesty, by his commandment, a copy of this letter, and that I keep likewise a copy of it my self, to the end, that both his majesty may know what I have done, and I be able to justify myself for the discharge of mine own duty, and so leave the blame and burthen upon them, who shall through their negligence deserve it; and so with my hearty commendations and prayer I commit your lordship to the tuition of almighty God. At Lambeth the 27th of July, M.DC.X.

Archiepisc. Cant.
RIC. BANCROFT 6.

Anno Christi
1610.

Reg. Angliae
JACOB. I. 8.

A letter for Contributions toward the prince's library. Reg. Bancroft fol. 174. a.

THE prince is earnestly affected to have such a library, as is fit for his highness, whereof I having notice, did hold it very convenient, that the abler sort of the clergy, as well as we that are bishops, should give unto his highness some books towards the furnishing of the said library; and because they shall not be able to know what books the prince doth want, deal with the abler sort of double beneficed men in my name, to send up unto me every one of them five pound a piece to be bestowed for them upon such books as I shall know are meet, having the catalogue of all his books to be presented afterwards by me unto his highness in their names. I trust they will give me so much credit, offering unto them my service herein. I have not hitherto been ready to move any extraordinary charge, but in this case I hold it very convenient, that his highness being so wise, judicious, and worthy a prince, should

have some little glimpse of our love and duty towards him. I did not think it fit to mention this point in my letter, as holding it convenient that no more should be acquainted with it than such men, as you mean shall contribute. Your lordship well knoweth that the prince will take it very kindly that your chancellor, and the richer sort of commissaries of yours and other dioceses should bestow some law books upon his highness; and accordingly I think fit that some of them ought to give 20 marks, some 10l. and the least 20 nobles. I therefore pray your lordship to deal with yours accordingly, and to cause them forthwith to send up the money unto me, assuring them that their names, their books, and the prices of them shall not be omitted in the general book, which is to be exhibited to his highness of the whole contribution.

Arcihepisc. Cant.
RIC. BANCROFT 6.

Anno Christi
1610.

Reg. Angliae
JACOB. I. 8.

Litterae patentes regiae pro consecratione trium episcoporum Scotiae, cum archiepiscopi Cantuariensis mandato. Ex reg. Bancroft fol. 175. a.

JACOBUS, Dei gratia Angliae, Scotiae, Franciae, et Hiberniae rex, fidei defensor, etc. dilectis nobis reverendis in Christo patribus, Georgio, episcopo London. Lanceloto, episcopo Elien. Richardo, episcopo Roffen. et Henrico, episcopo Wigorn. salutem. Cum nominatio, praesentatio, et dispensatio archiepiscopatus Glasguensis, episcopatus Gallovidien. et Brechinen. in regno nostro Scotiae ad nos solum et in solidum de jure coronae regni nostri Scotiae spectet et pertineat; cumque sedes archiepiscopalis, et sedes episcopales praedict. aliquamdiu vacaverint, et in praesenti vacent, nosque dilectos et fideles subditos nostros regni nostri Scotiae, magistrum Johannem Spottiswood ad sedem archiepiscopalem Glasguen. magistrum Gawinum Hamilton ad sedem episcopalem Gallovidien. magistrum Andream Lambe ad sedem episcopalem Brechinen. regia nostra auctoritate pariter et favore nominaverimus, et designaverimus; eisdem Johanni Spottiswood, Gawino Hamilton, Andreae Lambe, verbi Dei ministris et concionatoribus (de quorum probitate morum, sacrarum literarum scientia, et rerum tam spiritualium, quam temporalium administrand. prudentia nobis satis constat) stilum, titulum et dignitatem archiepiscopatus et episcopatum praedict. respective dederimus, contulerimus, et confirmaverimus, cum suis juribus, privilegiis, jurisdictionibus, et pertinentiis quibuscunque: cumque ex certis justis et legitimis rationibus et causis, nos et animum nostrum in ea parte mover. magnopere cupiamus, ut iidem Johannes Spottiswood, Gawinus Hamilton, et Andreas Lambe jam in hoc regno nostro Angliae commorantes, in archiepiscopum et episcopos respective juxta ritum et formam ecclesiae nostrae Anglicanae ordinentur et consecrentur; vobis igitur hoc tenore praesentium significamus, rogantes, et sub fide et dilectione, quibus nobis tenemini, requirentes, quatenus eundem Johannem Spottiswood in archiepiscopum, et eisdem Gawinum Hamilton et Andream Lambe in episcopos juxta ritum et formam consecrationis in ecclesia nostra Anglicana recept. et usitat. ordinare, auctorizare, et consecrare velitis cum favore; monentes vos nihilominus, ut in hoc consecrationis negotio ita caute et prudenter procedatis, ut ecclesiae in regno nostro Scotiae, ejusve privilegiis et immunitatibus nullum inde praejudicium generetur. In cujus rei testimonium has litteras nostras fieri fecimus patentes. Teste meipso apud Westm. quinto decimo die Octobris, anno regni nostri Angliae, Franciae, et Hiberniae octavo, et Scotiae quadagesimo quarto.

RICHARDUS, providentia divina Cant. archiepiscopus, totius Angliae primas et metropolitanus, reverendis in Christo patribus ac venerabilibus confratribus nostris, dominis Georgio, e-

piscopo London. Lanceloto, episcopo Elien. Richardo, episcopo Roffen. et Henrico, episcopo Wigorn. salutem, et fraternam in Domino charitatem. Cum serenissimus in Christo princeps dominus noster, dominus Jacobus, Dei gratia Angliae, Scotiae, Franciae, et Hiberniae rex, fidei defensor, etc. dilectos et fideles subditos suos regni sui Scotiae, magistrum Johannem Spottiswood, ad sedem archiepiscopalem Glasguensem magistrum Gawinum Hamilton ad sedem episcopalem Gallovidien. et magistrum Andream Lambe ad sedem episcopalem Brechinen. in dicto suo regno Scotiae jam vacant. et ad nominationem, praesentationem, et dispositionem dicti domini nostri regis de jure coronae dicti regni sui Scotiae spectant. et pertinent. nominaverit et designaverit; iidem Johanni Spottiswood, Gawino Hamilton, et Andreae Lambe, verbi Dei ministris et concionatoribus, stilum, titulum, et dignitatem archiepiscopatus, et episcopatum praedict. respective dederit, contulerit, et confirmaverit, cum suis juribus, privilegiis, jurisdictionibus, et pertinentiis quibuscunque: cumque dictus serenissimus dominus noster rex, ex certis justis et legitimis rationibus, et causis animum suum in ea parte moventibus, magnopere cupiverit, ut iidem Johannes Spottiswood, Gawinus Hamilton, et Andreas Lambe jam in hoc regno suo Angliae commorantes, in archiepiscopum et episcopos respective, juxta ritum et formam ecclesiae Anglicanae per vos ordinentur auctorizentur, et consecrentur, prout per suas litteras patentes regias, magno suo sigillo Angliae sigillatas, vobis in ea parte inscriptas et directas plenius apparet; nos exoptantes dicti domini nostri regis beneplacito, quantum in nobis est, satisfacere, ejusque pium desiderium cum ea, qua fieri poterit, matura celeritate debitum effectum consequi, et ut praedictos venerabiles et reverendos viros Johannem Spottiswood in archiepiscopum, ac Gawinum Hamilton, et Andream Lambe in episcopos, juxta tenorem, vim, formam, et effectum dictarum litterarum regiarum patentium, ordinare, auctorizare, consecrare, in quacunque ecclesia, capella, sive oratorio divino cultui decenter disposito, et ornato, per provinciam nostram Cant. ubilibet constitut. aliquo die dominico ad vestrum arbitrium eligendo, libere et licite possitis et valeatis, licentiam et facultatem nostras hac vice concedimus et imperitumur per praesentes; non obstantibus quibuscunque in contrarium facientibus, juribus nostris archiepiscopalibus Cant. et ecclesiae nostrae cathedralis et metropolitanae Christi Cant. dignitate et honore in omnibus semper salvis. In cujus rei testimonium sigillum, quo in hac parte utimur, praesentibus apponi fecimus. Dat in manerio nostro de Lambeth decimo nono die mensis Octobris, anno Domini M.DC.X. et nostrae translationis anno sexto.

Synodus

Archiepisc. Cant.
RIC. BANCROFT 6.

Anno Christi
1610.

Reg. Angliae
JACOB. I. 8.

Synodus provinciae Eboracensis.

SYNODUS provin. Ebor. a 10. die Februarii per breve regium ad 10. Novembris, et ab eo die ad 10. Februarii prox. continuabatur. In hac synodo die 10. Februarii in ecclesia metropolitana B. Petri Ebor. coacta, archiepiscopi commissio Johanni, episcopo Sodorensi, et aliis directa, lecta ac recepta fuit, constituens eos praesides synodi, eo quod archiepiscopus parlamento 9. die Februarii convocato interesse debebat. Post diversas deinde prorogationes die Martis 17. Julii, M.DC.X. in domo capitulari ecclesiae metropol. B. Petri Ebor. comparentes, praelati et clerus subsidium sex solidorum per libram domino regi dederunt, et ulterius voluntario et unanimi

eorum consensu concesserunt subsidium praeditum in tam amplis modo et forma, prout praelati et clerus Cantuariensis provinciae regiae suae majestati concesserunt, ac sub conditionibus limitationibus, et provisionibus in convocatione eorundem praelatorum et cleri Cantuar. provinciae comprehensis, et non aliter, neque alio modo. Post concessionem hujus subsidii breve regium dat. apud Westm. 24. die Julii, anno regni VIII. synodum in 17. diem Octobris, et ab eo die in 9. Novemb. aliud breve continuavit, et demum per breve regium datum undecimo die Februarii concilium provinciale dissolvitur.

Archiepisc. Cant.
GEO. ABBOT 2.

Anno Christi
1612.

Reg. Angliae
JACOB. I. 10.

Articles to be enquired of in the cathedral church of Bristol, in the metropolitical visitation of the most reverend father in God, George, by God's permission archbishop of Cant. and primate of all England, in the year of our Lord God M.DC.XII. Reg. I. Abbot fol. 229. a.

I. IN PRIMIS, Of what number of persons doth your cathedral church stand?

II. Item, Whether have you any laws, statutes, or ordinances in your church, and by whom the same were made?

III. Item, Whether doth every member of your church, at his first admission to the same, swear to observe such statutes and ordinances of the church, so far as they concern himself, and are not contrary to the laws of this land?

IV. Item, What other benefice or ecclesiastical preferment have the dean, archdeacon, prebendaries, and other ecclesiastical persons of the church, besides their rooms, and places in the same.

V. Item, How are the XLII. XLIII. and XLIV. canons for the residency of the dean, as well in the said cathedral church, as upon their benefices, and * in the convocation anno M.DC.IV. and confirmed by his majesty under the great seal of England, kept and observed?

VI. Item, What time of residence is every residentiary in your church bound unto? and whether do not they dispence one with another for their residency, or some time thereof every year?

VII. Item, Whether be not all the residentiaries in your church many times absent at one time, so that none is to be seen in the church there for divers weeks together, to do the service due to the church, or to keep hospitality there?

VIII. Item, Whether do they at the time of their living there according to their statutes, and the laudable customs of this church, keep hospitality there?

IX. Item, Whether there be not a general neglect among the said canons of coming to evening prayer Sundays, holydays, and other week days?

X. Item, What extraordinary leases have you past within these five years last past? and whether have you not entered into bonds and covenants to make or renew any lease hereafter, whose term is not yet expired, contrary to the true intent of the laws and statutes of this land? and what leases, covenants, and grants have been thus made, and to whom?

XI. Item, Whether your prebendaries in the time of their lying from their cathedral church, do preach upon their benefice, and keep hospitality there, as by the laws of the church and realm they are bound?

XII. Item, Whether sermons be duly had in your cathedral church upon the Sabbaths, and holydays? and how oft in the year have you the communion ministred amongst you in the cathedral church? and how often have you sermons or lectures on the week days in your cathedral church aforesaid, and by whom? and what are the statutes of your church in this behalf?

XIII. Item, How cometh it to pass, that when as the mayor and aldermen of this city were wont, to the credit of this place, to resort to your cathedral church, and there to hear divine service, now they forbear the same? and and who gave the cause of their forbearing thereof? and whether there have been any means made for the reconciliation of either corporation to the other again?

* Forte defunt: *The rest of the canons made*, aut quid simile.

XIV. Item

XIV. Item, Whether there be any of your whole number, that be any ways affected to the Romish religion, and thereupon frequent not divine service, nor receive the sacrament of the Lord's supper?

XV. Item, What is the number of those which are to attend in the quire, or of other officers belonging to the church? and whether be those places supplied with persons fit and sufficient for the same, and if not, by whose fault it is?

XVI. Item, Whether the choristers be well ordered, and the number of them furnished? and who hath the charge of catechising, and instructing of them in principles of religion? and whether are they so brought up?

XVII. Item, Whether is there care had for the due repairing of the cathedral church or chancel, and other isles, chapels, and edifices thereto adjoining, for stone, timber, glass, lead and iron, and all other necessities thereto, or any part thereof belonging? and if there be default, by whom it is, and who ought to repair it?

XVIII. Item, Whether the officers of your church, namely the steward, treasurers, receivers, bursters, accomptants, and such like, do yearly make a true accompt, and pay such money, as is due to the church upon their account? and whether any such person be now indebted

to the church; who it is, and how much?

XIX. Item, Whether there be any of your number that are detected, or grievously suspected of any infamous crime, to the reproach of religion, or the place where they now live?

XX. Item, Whether any of the body of this church, or any other belonging to this church, be known, or vehemently suspected to have bought for money, or other reward, the room or place, which he now holdeth among you, or any other his ecclesiastical preferments?

XXI. Item, Whether the muniments and evidences of your church be safely kept and preserved from the gnawing of rats, mice, or other such vermin, and be kept dry from the injury of rain, and other such like offensive weather? and whether they be so fit and orderly disposed in your muniment house, or be so registred in your books and leigers, as that when need shall be, you may easily find out the same without much search?

XXII. Item, Whether the bishop's palaces, your own prebendary houses, and other edifices and chambers to either of them belonging, are kept in all due and necessary reparations? and if there be any notorious ruins and decays in the same, how long have the same continued, and what is the cause the same is not repaired and amended?

Archiepisc Cant. •
GEO. ABBOT 3.

Anno Christi
1614.

Reg. Angliae
JACOB. I. 12.

Convocatio praelatorum et cleri provinciae Cantuar. et Ebor. Ex MS. Mil. Smith apud episc. Tho. Assaven. et ex reg. Ebor.

CONVOCATIO praelatorum et cleri provinciae Cantuar. per breve regium ad sextum diem Aprilis in ecclesia S. Pauli London. summonita, et per undecim sessiones continuata, post electionem D. Moreton prolocutoris duo praecipue tractavit; unum sessione 4. de horrendis blasphemis cujusdam Griffin, qui excommunicatus confessusque submisit et recantavit eas; alterum sessione 9. conversionem doctoris Alabastri ab ecclesia Romana. Deinde octavo die Junii e-

jusdem anni convocatio haec per breve regium ab archiepiscopo fuit dissoluta.

PRAELATI et clerus provinciae Ebor. per breve regium dat. apud Westm. 19. die Februarii, anno regni XI. ad novum concilium provinciale apud Ebor. tenendum et inchoandum 6. die Aprilis convocantur, et per aliud breve dat. 8. die Junii, anno regni XII. hoc concilium dissolvi jubetur; quod factum fuit 15. die Junii, M.DC.XIV.

Consultatio ecclesiastica et veluti synodalis determinatio quarundam ordinationum, regularum, et documentorum deservientium ecclesiae potissimum Ardmachanae. Intervenantibus et assistentibus reverendis D. D. vicariis partim generalibus partim et foraneis, et decanis ruralibus, adhibitis et selectis quibusdam theologis, et juris pontificii consultoribus, tum et diversorum ordinum regularium observantiae Cisterciensis, sancti Francisci, et societatis Jesu patribus. Inchoata in congregatione quasi provinciali habita Vadiponti per dies plures, et ibidem terminata in mense Februario, anno M.DC.XIV. Ex MS. Coll. Trin. Dublin. F. I. 113.

Ad lectorem.

VETERI verbo verissime dictum est: ingens telum necessitas: quae nobis nunc imponitur per temporis iniquitatem, ut nullum omnino remedium negligi patiatur. Absente siquidem primatu totius regni, archiepiscopo Ardmachano, quem hactenus detinuerunt Romae publica negotia, nostrae sollicitudinis esse videbatur, praesertim cum vacarent omnes suffraganeae sedes illius provinciae, quaerere viam idoneam, et capeffere quam possumus maxime consentaneam sacris canonibus, et juri et rationi accommodatam, ad gubernationem cleri et

populi

populi catholici in ordine ad aeternam salutem. Hoc eo magis nobis debuit esse curae, quod ipse illustrissimus primas plenitudinem suae jurisdictionis nobis commiserit, qua freti admonuimus omnes vicarios generales, cum quibusdam foraneis et aliis eminentioribus de clero hujus provinciae personis, ut omnes concorditer et discrete adunati ad consultandum de statu ecclesiastico tractarent de iis rebus, quae inpraesentiarum usu venirent. Non enim immemores esse potuimus antiqui moris et consuetudinis tum cleri Romani mortuo vel relegato summo pontifice, tum etiam inferiorum ecclesiarum in secessu vel morte suorum antistitum: illum quidem ecclesiae universalis supremo quodam regimini et directionis imperio praesedis; istos vero et matricis ecclesiae magisterio imbutos, ne sede vacante omnes pessum irent, providisse. Quorum nos imitatione ducti, et tradita nobis in hac parte potestate uniformiter cum vicariis et aliis, qui convenerant, quasi provinciali coetu congregati, ordinationis quasdam regulas et constitutiones, quibus clerus catholicus et populus ei commissus juvari possit et dirigi, salvo meliori judicio et auctoritate sedis apostolicae, cujus censurae nos libenter subijcimus [ordinamus.]

Breviculum consultationis provincialis.

Terminatur haec consultatio 4. capitum distinctione cum appendice.

Prima dist. capitalis versatur circa ordinem hierarchicum et jurisdictionalem servandum in hac provincia, absente praesule et deficientibus episcopis suffraganeis, ad confusionem vitandam.

Secunda dist. capitalis versatur circa sacrorum curam, et sacramentorum debitam et uniformem administrationem.

Tertia dist. capitalis circa morum reformationem, et abusu quorundam sive novorum sive inveteratorum abolitionem.

Quarta dist. capitalis versatur circa jejuniorum, abstinentiarum, festorum ordinationem, et observationem; cui subnectitur constitutio antiqua de decimis et suppellectile ecclesiastica.

Appendix consultationis de Trid. reformatione matrimonii. Itemque de calendario Gregoriano.

Prima dist. continet quinque documenta.

Primum concernit dispositionem ecclesiae jurisdictionis et hierarchiae.

Quoniam adeo dura et difficilis est praesentium temporum conditio, ut nec stet in omnibus incommodis, nec commune ubique remedium, quod optandum esset, adhiberi possit, ut quoad fieri possibile est, ecclesiasticae disciplinae ordo confusione profligata reparetur, et imago saltem ac simulacrum legitimae hierarchiae possit adumbrari, postquam pro singulis dioecesibus hujus provinciae jam designati sunt vicarii generales seu officiales quoque pro jure et munere suo in defectu vel absentia propriorum episcoporum membris regiminis curae et jurisdictionis administratio intra proprios limites suorum districtuum. Communi consilio deprehensum est expedire, ut per eosdem vicarios gene-

rales adhibeatur delectus idonearum personarum cum sufficientia literaturae, probitatis, et prudentiae, quibus cum subordinatione ad vicarios generales imponatur cura, ac decanis ruralibus cujusque dioecesis. Sub foraneis in quolibet decanatu deputari possunt parochi, qui sacramenta administrent, juxta exigentiam populorum inibi commorantium. Hi vero parochi non tam a foraneis seu ruralibus decanis, quam ab ipsis vicariis generalibus ob majorem securitatem et cautelam delegandi erunt. Omnes autem tam vicarii generales, quam foranei et parochi advocabunt frequenter, et imitabuntur regulares et alias personas zelo et doctrina conspicuas, ad concionandum, catechizandum, opitulandum in muniis ecclesiasticis melius obeundis juxta ipsorum opportunitatem, ac locorum indigentiam iisdem cooperariis juxta suas facultates hilariter et amice in necessariis subveniant.

Documentum secundum concernit directionem personarum ecclesiasticarum, ne se ingerant negotiis publicae administrationis, aut curis mere secularibus, quae ad ipsos non pertinent.

Curent omnes sacerdotes, ne publice vel privatim de negotiis status tractent, aut de negotiis politicae temporalis; neve ullo alio modo regiae majestati, aut aliis, qui sub eo reipublicae in temporalibus praesunt, se aliter exosos reddant, quam quae sui officii praestando nimirum spiritualia tantummodo ministeria exhibendo, relinquentes Caesari, quae Caesaris, sunt, et tum reddentes Deo, quae Dei sunt. — Curent secundo, ne se immisceant temporali gubernationi, aut regimini domus, seu familiae cujusunque secularis, seu privati hominis; nec pro eo quantumvis nobili exerceant officium oeconomi, receptoris, computistae, procuratoris, aut negotiorum gestoris; nec domibus, praediis, pascuis, nec terris ad firmam tenendis, locandis, conducendis, hypothecandis, amphyteadicandis, vel pecuniis ad interesse exponendis, neglecto ministerio sacrae vocationis suae, vacare praesumant.

Caveant tertio, ne sint negotiatores proxenetae, internuncii in tractatibus et contractibus omnino secularibus, neve instar affeculae, aut aulici, mancipii, jocularis, aut histrionis inserviant cujusunque conditionis aut eminentiae homini, quae omnia sibi non licere sciant; a quibus si non destiterint admoniti, juxta contemptus gravitatem ab ordinario puniri posse, et debere ordinamus.

Documentum tertium partim morale, partim doctrinale de juramento regiae potestatis et jurisdictionis temporalis.

Tametsi veneremur approbemus, et omnino retinendam existimemus sanctionem illam concil. Tolet. qua statuitur, ut qui contra salutem principis gentis, et patriae aliquid machinatur, ab episcopo,isque ad extremum ordinis clericorum, aut monachorum mox omnium dignitate et honore privetur, juxta laudabilis juris et praxis ecclesiae catholicae consuetudinem, quae semper detestata est proditores et impias rebellium machinationes; non possumus tamen absque evidentissima gravissimaque divini honoris injuria

jura obligare nos juramento, quod vocant "De primatu regis ecclesiastico," five illud secundum nuperam illam formulam sub nomine et auctoritate Jacobi regis nostri conceptam, quae vulgo nuncupatur, "Oath of Allegiance," five secundum anteriorem formulam Henricianam, sic enim appellatur, quod a nostro rege Henrico octavo, pro dolor! fuit incepta, quae sub principibus Edwardo, Elizabetha, successive regnantibus perseveravit, diciturque "Oath of Supremacy," quod salva fide catholica et salute animarum praestari non potest; cum utrumque multa contineat, quae fidei et saluti adversentur. Itaque nec voce nec scripto, aut chirographo alterutrum admittere, sed nec fas est, nec decet futili tergiversatione fluctuantis animi dissimulare fidem et conscientiam circum illam rem, et substantiam utriusque juramenti, quasi incer-

ti sint catholici, sit licitum necne jurare sic? cum certi omnes esse debeant illicitum esse, nec recipi oportere a catholicis, quandocunque illud illis clam vel palam jurandum proponitur ab his, qui dominandi potestatem acceperunt; quinimo clare et sine ambagibus respuere illud necesse est, quoties per dissimulationem, retractationem, vel conniventiam subtraheretur honor Dei debitus vel utilitas proximo impendenda, vel scandali probabile periculum timeretur.

Documentum quartum ejusdem continens declarationem et directionem officii subditorum circa communicationem in ritibus ad eundo templa, vel audiendo conciones haereticorum. Caetera desunt.

Archiepisc. Cant.
GEO. ABBOT 5.

Anno Christi
1615.

Reg. Angliae
JACOB. I. 13.

Articles of religion agreed upon by the archbishops, and bishops, and the rest of the clergy of Ireland in the convocation holden at Dublin in the year of our Lord God M.DC.XV. for the avoiding of diversities of opinions, and establishing of consent touching true religion.*

Of the holy scriptures, and the three Creeds.

I. **T**HE ground of our religion, and the rule of faith, and all saving truth is the word of God, contained in the holy scripture.

II. By the name of holy scripture we understand all the canonical books of the Old and New Testament, viz.

Of the Old Testament.

The 5 books of Moses.	Esther.
Joshua.	Job.
Judges.	Psalms.
Ruth.	Proverbs.
The first and second of Samuel.	Ecclesiastes.
The first and second of Kings.	The Song of Solomon.
The first and second of Chronicles.	Isaiah.
Efra.	Jeremiah his Prophecie and Lamentation.
Nehemiah.	Ezechiel.
	Daniel.
	The 12. less Prophets.

Of the New Testament.

The Gospels according to Matthew.	Philippians.
Mark.	Colossians.
Luke.	Thessalonians II.
John.	Timothy II.
The Acts of the Apostles.	Titus.
The Epistles of S. Paul to the Romans.	Philemon.
Corinthians II.	Hebrews.
Galatians.	The epistles of S. James.
Ephesians.	St. Peter II.
	St. John III.
	St. Jude.
	The Revelation of St. John.

All which we acknowledge to be given by the inspiration of God, and in that regard to be of most certain credit and highest authority.

III. The other books, commonly called Apocryphal, did not proceed from such inspiration; and therefore are not of sufficient authority to establish any point of doctrine, but the church doth read them as books containing many worthy things for example of life, and instruction of manners.

Such are these following,

The third book of Esdras.	Baruch, with the epistle of Jeremiah.
The fourth book of Esdras.	The Song of the three Children.
The book of Tobias.	Susanna.
The book of Judith.	Bell and the Dragon.
Additions to the book of Esther.	The Prayer of Manasse.
The book of Wisdom.	The first book of Maccabees.
The book of Jesus the Son of Sirach, called Ecclesiasticus.	The second book of Maccabees.

IV. The scriptures ought to be translated out of the original tongues into all languages, for the common use of all men; neither is any person to be discouraged from reading the Bible in in such a language as he doth understand; but seriously exhorted to read the same with great humility and reverence, as a special means to bring him to the true knowledge of God, and of his own duty.

* In these articles are comprehended, almost word for word, the nine articles agreed on at Lambeth the 20th of November, anno M.D.XCV.

V. Although there be some hard things in the scripture (especially such as have proper relation to the times, in which they were first uttered, and prophecies of things, which were afterwards to be fulfilled) yet all things necessary to be known unto everlasting salvation, are clearly delivered therein; and nothing of that kind is spoken under dark mysteries in one place, which is not in other places spoken more familiarly and plainly, to the capacity both of learned and unlearned.

VI. The holy scriptures contain all things necessary to salvation, and are able to instruct sufficiently in all points of faith that we are bound to believe, and all good duties that we are bound to practise.

VII. All and every the articles contained in the Nicene Creed, the Creed of Athanasius, and that which is commonly called the Apostles Creed, ought firmly to be received and believed; for they may be proved by most certain warrant of holy scripture.

Of faith in the holy Trinity.

VIII. There is but one living and true God everlasting, without body, parts, or passions, of infinite power, wisdom, and goodness, the maker and preserver of all things, both visible and invisible. And in unity of this Godhead, there be three persons of one and the same substance, power, and eternity; the Father, the Son, and the Holy Ghost.

IX. The essence of the Father doth not beget the essence of the Son; but the person of the Father begetteth the person of the Son, by communicating his whole essence to the person begotten from eternity.

The Holy Ghost proceeding from the Father and the Son, is of one substance, majesty, and glory with the Father and the Son, very and eternal God.

Of God's eternal decree and predestination.

XI. God from all eternity, did by his unchangeable counsel ordain whatsoever in time should come to pass; yet so as thereby no violence is offered to the wills of the reasonable creatures, and neither the liberty nor the contingency of the second causes is taken away, but established rather.

XII. By the same eternal counsel God hath predestinated some unto life, and reprobated some unto death; of both which there is a certain number, known only to God, which can neither be increased nor diminished.

XIII. Predestination to life, is the everlasting purpose of God, whereby, before the foundations of the world were laid, he hath constantly decreed in his secret counsel to deliver from curse and damnation those, whom he hath chosen in Christ out of mankind, and to bring them by Christ unto everlasting salvation, as vessels made to honour.

XIV. The cause moving God to predestinate unto life, is not the foreseeing of faith, or perseverance, or good works, or of any thing which is in the person predestinated, but only

the good pleasure of God himself. For all things being ordained for the manifestation of his glory, and his glory being to appear both in the works of his mercy and of his justice, it seemed good to his heavenly wisdom to choose out a certain number, towards whom he would extend his undeserved mercy, leaving the rest to be spectacles of his justice.

XV. Such as are predestinated unto life, be called according unto God's purpose (his Spirit working in due season) and through grace they obey the calling, they be justified freely, they be made sons of God by adoption, they be made like the image of his only begotten son Jesus Christ, they walk religiously in good works, and at length by God's mercy they attain to everlasting felicity. But such as are not predestinated to salvation, shall finally be condemned for their sins.

XVI. The godly consideration of predestination and our election in Christ is full of sweet, pleasant, and unspeakable comfort to godly persons, and such as feel in themselves the working of the Spirit of Christ, mortifying the works of the flesh, and their earthly members, and drawing up their minds to high and heavenly things; as well because it doth greatly confirm and establish their faith of eternal salvation to be enjoyed through Christ, as because it doth fervently kindle their love towards God: and on the contrary side, for curious and carnal persons, lacking the Spirit of Christ, to have continually before their eyes the sentence of God's predestination, is very dangerous.

XVII. We must receive God's promises in such wise, as they be generally set forth unto us in holy scripture; and in our doings, that will of God is be followed, which we have expressly declared unto us in the word of God.

Of the creation and government of all things.

XVIII. In the beginning of time, when no creature had any being, God by his word alone, in the space of six days, created all things, and afterwards by his providence doth continue, propagate, and order them according to his own will.

XIX. The principal creatures are angels and men.

XX. Of angels, some continued in that holy state, wherein they were created, and are by God's grace for ever stablished therein; others fell from the same, and are reserved in chains of darkness unto the judgment of the great day.

XXI. Man being at the beginning created according to the image of God (which consisteth especially in the wisdom of his mind, and the true holiness of his free will) had the covenant of the law ingrafted in his heart; whereby God did promise unto him everlasting life, upon condition that he performed entire and perfect obedience unto his commandments, according to that measure of strength wherewith he was endued in his creation; and threatened death unto him, if he did not perform the same.

Of

Of the fall of man, original sin, and the state of man before justification.

XXII. By one man sin entered into the world, and death by sin, and so death went over all men, for as much as all have sinned.

XXIII. Original sin standeth not in the imitation of Adam (as the Pelagians dream) but is the fault and corruption of the nature of every person, that naturally is engendred and propagated from Adam: whereby it cometh to pass, that man is deprived of original righteousness, and by nature is bent unto sin. And therefore in every person born into the world, it deserveth God's wrath and damnation.

XXIV. This corruption of nature doth remain even in those that are regenerated, whereby the flesh always lusteth against the spirit, and cannot be made subject to the law of God. And howsoever for Christ's sake, there be no condemnation to such as are regenerate, and do believe; yet doth the apostle acknowledge, that in it self this concupiscence hath the nature of sin.

XXV. The condition of man after the fall of Adam is such, that he cannot turn, and prepare himself, by his own natural strength and good works, to faith, and calling upon God. Wherefore we have no power to do good works pleasing and acceptable unto God, without the grace of God preventing us, that we may have a good will, and working with us, when we have that good will.

XXVI. Works done before the grace of Christ, and the inspiration of his Spirit, are not pleasing unto God, for as much as they spring not of faith in Jesus Christ, neither do they make men meet to receive grace, or (as the school-authors say) deserve grace of congruity; yea rather, for that they are not done in such sort as God hath willed and commanded them to be done, we doubt not but they are sinful.

XXVII. All sins are not equal, but some far more heinous than others, yet the very least is of its own nature mortal, and without God's mercy, maketh the offender liable unto everlasting damnation.

XXVIII. God is not the author of sin: howbeit, he doth not only permit, but also by his providence govern and order the same, guiding it in such sort by his infinite wisdom, as it turneth to the manifestation of his own glory, and to the good of his elect.

Of Christ, the mediator of the second covenant.

XXIX. The Son, which is the Word of the Father, begotten from everlasting of the Father, the true and eternal God, of one substance with the Father, took man's nature in the womb of the blessed virgin, of her substance: so that two whole and perfect natures, that is to say, the Godhead and manhood, were inseparably joined in one person, making one Christ very God and very man.

XXX. Christ in the truth of our nature was made like unto us in all things, sin only excepted, from which he was clearly void both in his life and in his nature. He came as a lamb

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without spot, to take away the sins of the world by the sacrifice of himself once made, and sin (as St. John saith) was not in him. He fulfilled the law for us perfectly: for our sakes he endured most grievous torments immediately in his soul, and most painful sufferings in his body. He was crucified, and died to reconcile his Father unto us, and to be a sacrifice not only for original guilt, but also for all our actual transgressions. He was buried and descended into hell, and the third day rose from the dead, and took again his body, with flesh, bones, and all things appertaining to the perfection of man's nature; wherewith he ascended into heaven, and there sitteth at the right hand of his Father, until he return to judge all men at the last day.

Of the communicating of the grace of Christ.

XXXI. They are to be condemned, that presume to say, that every man shall be saved by the law or sect which he professeth, so that he be diligent to frame his life according to that law, and the light of nature. For holy scripture doth set out unto us only the name of Jesus Christ, whereby men must be saved.

XXXII. None can come unto Christ, unless it be given unto him, and unless the Father draw him. And all men are not so drawn by the Father, that they may come unto the Son; neither is there such a sufficient measure of grace vouchsafed unto every man, whereby he is enabled to come unto everlasting life.

XXXIII. All God's elect are in their time inseparably united unto Christ by the effectual and vital influence of the Holy Ghost, derived from him, as from the head, unto every true member of his mystical body. And being thus made one with Christ, they are truly regenerated, and made partakers of him and all his benefits.

Of justification and faith.

XXXIV. We are accounted righteous before God, only for the merit of our Lord and saviour Jesus Christ, applied by faith; and not for our own works or merits. And this righteousness, which we so receive of God's mercy and Christ's merits, embraced by faith, is taken, accepted, and allowed of God for our perfect and full justification.

XXXV. Although the justification be free unto us, yet it cometh not so freely unto us, that there is no ransom paid therefore at all. God shewed his great mercy in delivering us from our former captivity, without requiring of any ransom to be paid, or amends to be made on our parts: which thing by us had been impossible to be done. And whereas all the world was not able of themselves to pay any part towards their ransom, it pleased our heavenly Father, of his infinite mercy, without any desert of ours, to provide for us the most precious merits of his own Son, whereby our ransom might be fully paid, the law fulfilled, and his justice fully satisfied. So that Christ is now the righteousness of all them that truly believe in him. He for them paid their ran-

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from by his death. He for them fulfilled the law in his life, that now in him, and by him every true christian man may be called a fulfiller of the law; forasmuch as that which our infirmity was not able to effect, Christ's justice hath performed. And thus the justice and mercy of God do embrace each other. The grace of God not shutting out the justice of God in the matter of our justification; but only shutting out the justice of man (that is to say, the justice of our own works) from being any cause of deserving our justification.

XXXVI. When we say that we are justified by faith only, we do not mean, that the said justifying faith is alone in man, without true repentance, hope, charity, and the fear of God (for such a faith is dead, and cannot justify) neither do we mean, that this our act to believe in Christ, or this our faith in Christ, which is within us, doth of it self justify us, or deserve our justification unto us (for that were to account our selves to be justified by the virtue or dignity of some thing that is within our selves) but the true understanding and meaning thereof is, that although we hear God's word, and believe it, although we have faith, hope, charity, repentance, and the fear of God within us, and add never so many good works thereunto; yet we must renounce the merit of all our said virtues, of faith, hope, charity, and all our other virtues, and good deeds, which we either have done, shall do, or can do, as things that be far too weak and imperfect, and insufficient to deserve remission of our sins, and our justification: and therefore we must trust only in God's mercy, and the merits of his most dearly beloved Son, our only redeemer, saviour, and justifier Jesus Christ. Nevertheless, because faith doth directly send us to Christ for our justification, and that by faith, given us of God, we embrace the promise of God's mercy, and the remission of our sins (which thing none other of our virtues or works properly doth) therefore the scripture useth to say, that "faith without works;" and the ancient fathers of the church to the same purpose, that "only faith" doth justify us.

XXXVII. By justifying faith we understand not only the common belief of the articles of the christian religion, and a persuasion of the truth of God's word in general; but also a particular application of the gracious promises of the gospel, to the comfort of our own souls; whereby we lay hold on Christ, with all his benefits, having an earnest trust and confidence in God, that he will be merciful unto us for his only Son's sake. So that a true believer may be certain, by the assurance of faith, of the forgiveness of his sins, and of his everlasting salvation by Christ.

XXXVIII. A true lively justifying faith, and the sanctifying Spirit of God is not extinguished, nor vanisheth away in the regenerate, either finally or totally.

Of sanctification and good works.

XXXIX. All that are justified, are likewise

sanctified; their faith being always accompanied with true repentance and good works.

XL. Repentance is the gift of God, whereby godly sorrow is wrought in the heart of the faithful, for offending God, their merciful Father, by their former transgressions, together with a constant resolution for the time to come to cleave unto God, and to lead a new life.

XLI. Albeit that good works, which are the fruits of faith, and follow after justification, cannot make satisfaction for our sins, and endure the severity of God's judgment; yet are they pleasing to God, and accepted of him in Christ, and do spring from a true and lively faith, which by them is to be discerned, as a tree by the fruit.

XLII. The works which God would have his people to walk in, are such as he hath commanded in his holy scripture, and not such works as men have devised out of their own brain, of a blind zeal, and devotion, without the warrant of the word of God.

XLIII. The regenerate cannot fulfil the law of God perfectly in this life: for in many things we offend all; and if we say, we have no sin, we deceive our selves, and the truth is not in us.

XLIV. Not every heinous sin, willingly committed after baptism, is sin against the Holy Ghost and unpardonable. And therefore to such as fall into sin after baptism, place for repentance is not to be denied.

XLV. Voluntary works, besides, over, and above God's commandments, which they call works of supererogation, cannot be taught without arrogancy, and impiety. For by them men do declare, that they do not only render unto God as much as they are bound to do, but that they do more for his sake, than of bounden duty is required.

Of the service of God.

XLVI. Our duty towards God is to believe in him, to fear him, and to love him with all our heart, with all our mind, and with all our soul, and with all our strength, to worship him, and to give him thanks, to put our whole trust in him, to call upon him, to honour his holy name and his word, and to serve him truly all the days of our life.

XLVII. In all our necessities we ought to have recourse unto God by prayer; assuring our selves, that whatsoever we ask of the Father in the name of his Son (our only mediator and intercessor) Christ Jesus, and according to his will, he will undoubtedly grant it.

XLVIII. We ought to prepare our hearts before we pray, and understand the things that we ask when we pray; that both our hearts and voice may together sound in the ears of God's majesty.

XLIX. When almighty God smiteth us with affliction, or some great calamity hangeth over us, or any other weighty cause so requireth; it is our duty to humble our selves in fasting, to bewail our sins with a sorrowful heart, and to addict our selves to earnest prayer, that it might please

please God to turn his wrath from us, or supply us with such graces, as we greatly stand in need of.

L. Fasting is a withholding of meat, drink, and all natural food, with other outward delights, from the body, for the determined time of fasting. As for those abstinencies which are appointed by public order of our state, for eating of fish and forbearing of flesh at certain times and days appointed, they are no ways meant to be religious fasts; nor intended for the maintenance of any superstition in the choice of meats; but are grounded meerly upon politic considerations, for provision of things tending to the better preservation of the commonwealth.

LI. We must not fast with this persuasion of mind, that our fasting can bring us to heaven, or ascribe outward holiness to the work wrought. For God alloweth not our fast for the work's sake (which of it self is a thing meerly indifferent) but chiefly respecteth the heart, how it is affected therein. It is therefore requisite, that first, before all things we cleanse our hearts from sin, and then direct our fast to such ends, as God will allow to be good; that the flesh may thereby be chastised, the spirit may be more fervent in prayer, and that our fasting may be a testimony of our humble submission to God's majesty, when we acknowledge our sins unto him, and are inwardly touched with sorrowfulness of heart, bewailing the same in the affliction of our bodies.

LII. All worship devised by man's phantasy, besides or contrary to the scriptures (as wandering on pilgrimages, setting up of candles, stations, and Jubilees, Pharisaical sects, and feigned religions, praying upon beads, and such like superstition) hath not only no promise of reward in scripture, but contrarywise threatnings and maledictions.

LIII. All manner of expressing God the Father, the Son, and the Holy Ghost in an outward form is utterly unlawful. As also all other images devised or made by man to the use of religion.

LIV. All religious worship ought to be given to God alone; from whom all goodness, health, and grace ought to be both asked and looked for, as from the very author and giver of the same, and from none other.

LV. The name of God is to be used with all reverence and holy respect: and therefore all vain and rash swearing is utterly to be condemned. Yet notwithstanding upon lawful occasions, an oath may be given, and taken, according to the word of God, justice, judgment, and truth.

LVI. The first day of the week, which is the Lord's day, is wholly to be dedicated to the service of God: and therefore we are bound therein to rest from our common and daily business; and to bestow that leisure upon holy exercises, both public and private.

Of the civil magistrate.

LVII. The king's majesty, under God, hath

the sovereign and chief power, within his realms and dominions, over all manner of persons, of what estate, either ecclesiastical or civil, soever they be; so as no other foreign power hath or ought to have any superiority over them.

LVIII. We do profess that the supreme government of all estates within the said realms and dominions, in all causes as well ecclesiastical as temporal, doth of right appertain to the king's highness. Neither do we give unto him hereby the administration of the word and sacraments, or the power of the keys; but that prerogative only, which we see to have been always given unto all godly princes in holy scripture by God himself; that is, that he should contain all estates and degrees committed to his charge by God, whether they be ecclesiastical or civil, within their duty, and restrain the stubborn and evil doers with the power of the civil sword.

LIX. The pope neither of himself, nor by any authority of the church or see of Rome, or by any other means with any other, hath any power or authority to depose the king, or dispose any of his kingdoms or dominions, or to authorize any other prince to invade or annoy him, or his countries, or to discharge any of his subjects of their allegiance and obedience to his majesty, or to give licence or leave to any of them to bear arms, raise tumult, or to offer any violence or hurt to his royal person, state, or government, or to any of his subjects within his majesty's dominions.

LX. That princes, which be excommunicated or deprived by the pope, may be deposed or murdered by their subjects, or any other whatsoever, is impious doctrine.

LXI. The laws of the realm may punish christian men with death for heinous and grievous offences.

LXII. It is lawful for christian men, at the commandment of the magistrate, to bear arms, and to serve in just wars.

Of our duty towards our neighbour.

LXIII. Our duty towards our neighbours, is to love them as our selves, and to do to all men as we would they should do to us; to honour and obey our superiors, to preserve the safety of mens persons, as also their chastity, goods and good names; to bear no malice nor hatred in our hearts; to keep our bodies in temperance, soberness, and chastity; to be true and just in all our doings; not to covet other mens goods, but labour truly to get our own living, and to do our duty in that estate of life, unto which it pleaseth God to call us.

LXIV. For the preservation of the chastity of mens persons, wedlock is commanded unto all men that stand in need thereof. Neither is there any prohibition by the word of God, but that the ministers of the church may enter into the state of matrimony; they being no where commanded by God's law, either to vow the estate of single life, or to abstain from marriage. Therefore it is lawful also for them, as well as for all other christian men, to marry at their own discretion, as they shall judge the

the same to serve better to godliness.

LXV. The riches and goods of christians are not common, as touching the right, title and possession of the same, as certain Anabaptists falsely affirm. Notwithstanding every man ought of such things as he possesseth, liberally to give alms to the poor, according to his ability.

LXVI. Faith given, is to be kept, even with heretics and infidels.

LXVII. The popish doctrine of equivocation and mental reservation is most ungodly, and tendeth plainly to the subversion of all human society.

Of the church and outward ministry of the gospel.

LXVIII. There is but one catholick church (out of which there is no salvation) containing the universal company of all the saints that ever were, are, or shall be, gathered together in one body, under one head Christ Jesus; part whereof is already in heaven triumphant, part as yet militant here on earth. And because this church consisteth of all those, and those alone, which are elected by God unto salvation, and regenerated by the power of his Spirit, the number of whom is known only unto God himself; therefore it is called the catholic or universal, and the invisible church.

LXIX. But particular and visible churches, (consisting of those who make profession of the faith of Christ, and live under the outward means of salvation) be many in number: wherein the more or less sincerely according to Christ's institution the word of God is taught, the sacraments are administered, and the authority of the keys is used; the more or less pure are such churches to be accounted.

LXX. Although in the visible church the evil be ever mingled with the good, and sometimes the evil have chief authority in the ministration of the word and sacraments; yet for as much as they do not the same in their own name, but in Christ's, and minister by his commission and authority, we may use their ministry both in hearing the word, and in receiving the sacraments. Neither is the effect of Christ's ordinance taken away by their wickedness; nor the grace of God's gifts diminished from such, as by faith, and rightly do receive the sacraments ministered unto them; which are effectual, because of Christ's institution and promise, although they be ministered by evil men. Nevertheless it appertaineth to the discipline of the church, that enquiry be made of evil ministers, and that they be accused by those that have knowledge of their offences, and finally being found guilty, by just judgments be deposed.

LXXI. It is not lawful for any man to take upon him the office of public preaching or ministering the sacraments of the church, unless he be first lawfully called, and sent to execute the same. And those we ought to judge lawfully called and sent, which be chosen and called to this work by men, who have public authority given them in the church to call and send mi-

nisters into the Lord's vineyard.

LXXII. To have public prayer in the church, or to administer the sacraments in a tongue not understood of the people, is a thing plainly repugnant unto the word of God, and the custom of the primitive church.

LXXIII. That person, which by public denunciation of the church is rightly cut off from the unity of the church, and excommunicate, ought to be taken of the whole multitude of the faithful as a heathen and publican, until by repentance he be openly reconciled and received into the church by the judgment of such as have authority in that behalf.

LXXIV. God hath given power to his ministers not simply to forgive sins (which prerogative he hath reserved only to himself) but in his name to declare and pronounce unto such as truly repent, and unfeignedly believe his holy gospel, the absolution and forgiveness of sins. Neither is it God's pleasure, that his people should be tied to make a particular confession of all their known sins unto any mortal man; howsoever any person grieved in his conscience, upon any special cause, may well resort unto any godly and learned minister, to receive advice and comfort at his hands.

Of the authority of the church, general councils, and bishop of Rome.

LXXV. It is not lawful for the church to ordain any thing that is contrary to God's word, neither may it so expound one place of scripture, that it be repugnant to another. Wherefore although the church be a witness, and a keeper of holy Writ, yet as it ought not to decree any thing against the same; so besides the same, ought it not to enforce any thing to be believed upon necessity of salvation.

LXXVI. General councils may not be gathered together without the commandment and will of princes: and when they be gathered together (for as much as they be an assembly of men not always governed with the Spirit and word of God) they may err, and sometimes have erred, even in things pertaining to the rule of piety. Wherefore things ordained by them, as necessary to salvation, have neither strength nor authority, unless it may be shewed that they be taken out of holy scripture.

LXXVII. Every particular church hath authority to institute, to change, and clean to put away ceremonies and other ecclesiastical rites, as they be superfluous, or be abused; and to constitute other, making more to seemliness, to order, or edification.

LXXVIII. As the churches of Jerusalem, Alexandria, and Antioch have erred; so also the church of Rome hath erred, not only in those things which concern matter of practice and point of ceremonies, but also in matters of faith.

LXXIX. The power which the bishop of Rome now challengeth, to be supreme head of the universal church of Christ, and to be above all emperors, kings, and princes, is an usurped power, contrary to the scriptures and word of God,

God, and contrary to the example of the primitive church; and therefore is for most just causes taken away, and abolished within the king's majesty's realms and dominions.

LXXX. The bishop of Rome is so far from being the supreme head of the universal church of Christ, that his works and doctrine do plainly discover him to be that man of sin, foretold in the holy scriptures, whom the Lord shall consume with the Spirit of his mouth, and abolish with the brightness of his coming.

Of the state of the Old and New Testament.

LXXXI. In the Old Testament the commandments of the law were more largely, and the promises of Christ more sparingly and darkly propounded; shadowed with a multitude of types and figures, and so much the more generally and obscurely delivered, as the manifesting of them was further off.

LXXXII. The Old Testament is not contrary to the New: for both in the Old and New Testament everlasting life is offered to mankind by Christ, who is the only mediator between God and man, being both God and man. Wherefore they are not to be heard, which feign that the old fathers did look only for transitory promises: for they looked for all benefits of God the Father through the merits of his Son Jesus Christ, as we now do; only they believed in Christ, which should come, we in Christ already come.

LXXXIII. The New Testament is full of grace and truth, bringing joyful tidings unto mankind, that whatsoever formerly was promised of Christ, is now accomplished; and so instead of the ancient types and ceremonies, exhibiteth the things themselves, with a large and clear declaration of all the benefits of the gospel. Neither is the ministry thereof restrained any longer to one circumcised nation, but is indifferently propounded unto all people, whether they be Jews or Gentiles. So that there is now no nation which can truly complain, that they be shut forth from the communion of saints, and the liberties of the people of God.

LXXXIV. Although the law given from God by Moses, as touching ceremonies and rites be abolished, and the civil precepts thereof be not of necessity to be received in any commonwealth; yet notwithstanding, no christian man whatsoever is freed from the obedience of the commandments, which are called moral.

Of the sacraments of the New Testament.

LXXXV. The sacraments ordained by Christ, be not only badges or tokens of christian mens profession; but rather certain sure witnesses, and effectual or powerful signs of grace and God's good will towards us, by which he doth work invisibly in us, and not only quicken, but also strengthen and confirm our faith in him.

LXXXVI. There be two sacraments ordained of Christ our Lord in the gospel, that is to say, "Baptism and the Lord's supper."

LXXXVII. Those five, which by the church of Rome are called sacraments, to wit, "con-

firmation, penance, orders, matrimony, and extreme unction, are not to be accounted sacraments of the gospel; being such as have partly grown from corrupt imitation of the apostles, partly are states of life allowed in the scriptures; but yet have not like nature of sacraments with baptism and the Lord's supper; for that they have not any visible sign or ceremony ordained of God, together with a promise of saving grace annexed thereunto.

LXXXVIII. The sacraments were not ordained of Christ to be gazed upon, or to be carried about; but that we should duly use them. And in such only as worthily receive the same, they have a wholesome effect and operation; but they that receive them unworthily, thereby draw judgment upon themselves.

Of baptism.

LXXXIX. Baptism is not only an outward sign of our profession, and a note of difference, whereby christians are discerned from such as are no christians; but much more a sacrament of our admission into the church, sealing unto us our new birth (and consequently our justification, adoption, and sanctification) by the communion, which we have with Jesus Christ.

XC. The baptism of infants is to be retained in the church, as agreeable to the word of God.

XCI. In the administration of baptism, exorcism, oil, salt, spittle, and superstitious hallowing of the water, are for just causes abolished; and without them the sacrament is fully and perfectly administered, to all intents and purposes, agreeable to the institution of our saviour Christ.

Of the Lord's supper.

XCII. The Lord's supper is not only a sign of the mutual love, which christians ought to bear one towards another; but much more a sacrament of our preservation in the church, sealing unto us our spiritual nourishment and continual growth in Christ.

XCIII. The change of the substance of bread and wine into the substance of the body and blood of Christ, commonly called Transubstantiation, cannot be proved by holy writ; but is repugnant to plain testimonies of the scripture, overthroweth the nature of a sacrament, and hath given occasion to most gross idolatry, and manifold superstitions.

XCIV. In the outward part of the holy communion the body and blood of Christ is in a most lively manner represented; being no otherwise present with the visible elements, than things signified and sealed are present with the signs and seals, that is to say, symbolically and relatively. But in the inward and spiritual part the same body and blood is really and substantially presented unto all those, who have grace to receive the Son of God, even to all those that believe in his name. And unto such as in this manner do worthily and with faith repair unto the Lord's table, the body and blood of Christ is not only signified and offered, but also truly exhibited and communicated.

XCV. The body of Christ is given, taken, and eaten in the Lord's supper, only after an heavenly and spiritual manner; and the mean, whereby the body of Christ is thus received and eaten, is faith.

XCVI. The wicked and such as want a lively faith, although they do carnally and visibly (as St. Augustine speaketh) press with their teeth the sacrament of the body and blood of Christ; yet in no wise are they made partakers of Christ, but rather to their condemnation, do eat and drink the sign or sacrament of so great a thing.

XCVII. Both the parts of the Lord's sacrament, according to Christ's institution, and the practice of the ancient church, ought to be ministered unto all God's people; and it is plain sacrilege to rob them of the mystical cup, for whom Christ hath shed his most precious blood.

XCVIII. The sacrament of the Lord's supper was not by Christ's ordinance reserved, carried about, lifted up, or worshipped.

XCIX. The sacrifice of the mass, wherein the priest is said to offer up Christ for obtaining the remission of pain or guilt for the quick and the dead, is neither agreeable to Christ's ordinance, nor grounded upon doctrine apostolic; but contrarywise most ungodly, and most injurious to that allsufficient sacrifice of our saviour Christ, offered once for ever upon the cross, which is the only propitiation and satisfaction for all our sins.

C. Private mass, that is, the receiving of the eucharist by the priest alone, without a competent number of communicants, is contrary to the institution of Christ.

Of the state of the souls of men, after they be departed out of this life; together with the general resurrection, and the last judgment.

CI. After this life is ended, the souls of God's children be presently received into heaven, there to enjoy unspeakable comforts: the souls of the wicked are cast into hell, there to endure endless torments.

CII. The doctrine of the church of Rome, concerning limbus patrum, limbus puerorum, purgatory, prayer for the dead, pardons, adoration of images and reliques, and also invocation of saints, is vainly invented without all warrant of holy scripture, yea and is contrary unto the same.

CIII. At the end of this world, the Lord Jesus shall come in the clouds, with the glory of his Father; at which time, by the almighty power of God, the living shall be changed, and the dead shall be raised; and all shall appear both in body and soul before his judgment seat, to receive according to that which they have done in their bodies, whether good or evil.

CIV. When the last judgment is finished, Christ shall deliver up the kingdom to his Father, and God shall be all in all.

The decree of the synod.

If any minister, of what degree or quality soever he be, shall publicly teach any doctrine contrary to these articles agreed upon; if after due admonition he do not conform himself, and cease to disturb the peace of the church; let him be silenced, and deprived of all spiritual promotions he doth enjoy.

Archiepisc. Cant.
GEO. ABBOT 5.

Anno Christi
1615.

Reg. Angliae.
JACOB. I. 13.

The bishop of London's orders for governing the Dutch congregations within the city of London and town of Colchester. Reg. Grindall. fol. 376. b.

JOHN, by the providence of God bishop of London, to all to whom these presents shall come, sendeth greeting in our Lord God everlasting. Know ye that of late the ministers and Dutch congregation of London and Colchester, within our jurisdiction and diocese of London, have of late exhibited unto us a petition and complaint, touching some misdemeanors of certain persons offending against the government and censure ecclesiastical of their congregations, and by indirect means forsaking both the congregations, and avoiding such censures, as are due unto them for their several misdemeanors. That whereas the king's most excellent majesty, out of his royal and religious inclination hath been pleased to extend his gracious favour towards the said congregations, as well for the continuance of their quiet residence and habitation within the said city and town, as also for the successive enjoying of their ancient and accustomed liberties in the government of those congregations among themselves, which favour they have used with moderation, and with the good liking of the state and our

predecessors, during the reign of our late famous queen Elizabeth, without any just scandal or prejudice given by them against the state of the church of England; have notwithstanding their good carriage in their government oftentimes been interrupted and hindered from doing of justice by sundry licentious persons, being members of the said congregations, who upon fear that they should be censured according to their demerits, have thereupon taken occasion to cast off the yoke of ecclesiastical government of the said congregations, and have severed themselves from the said congregations, and have forthwith adjoined themselves to the parish churches, in which their several habitations were, and there offered themselves unto the participation of the blessed sacrament of the body and blood of our saviour, not having before that been any way censured by their said congregations for their misdemeanors, or made any reconciliation unto the said congregations, whom they had offended by such their misdemeanours; by which such departing of persons offending and not censured before their departure, many

Bishop of LONDON's orders about the DUTCH congregations. 555

many notorious abuses have and do ensue. First that it was, and is an imboldening or encouragement of delinquents and others by their example in their unbridled courses for hope of escaping punishment by transferring themselves to another congregation, where haply no such censure is used, as in the Dutch congregations such offenders are censured by their government. Secondly, that it is a profanation of the holy sacrament of the Lord's supper, that those men, that have offended in the Dutch congregations, and should there be censured, should be received to the holy communion in the English congregation, before they have given some satisfaction to those congregations, and made their attonement with God for their offences. Thirdly, they make the English ministers by this means, by ministring unto them the holy communion, protectors of them, and dispensers, as it were, with their misdemeanors, which they formerly committed, whilst they were of the Dutch congregations.

In consideration of the premisses the aforesaid ministers and congregations have humbly intreated us, to set down by our authority episcopal some order and decree for repressing of such disorderly shifting from the censures of the said congregations, whereof they are members, without reconciliation, censure, or other submittance unto the said congregations, before they leave the said congregations.

We the aforesaid bishop considering duly and maturely of the said petition and other reasons declared unto us, and the great inconveniencies that would follow in the government of these congregations, if such slipping away of offenders from the same congregations should be permitted, or not repressed, have thought good

by our authority episcopal, and as far as by the laws of this kingdom we may, to set down an order herein, which we do by these presents set down; viz. That no person, that now is, or hereafter shall be of the Dutch congregations, having as a member thereof offended the same congregations, so as he deserve the censure ecclesiastical of those congregations, shall depart from those congregations, before he have been either censured for his said offence, or otherwise reconciled himself unto the said congregations: and that such persons offending and betaking themselves to the English congregation, where their house and habitation stands, thereby to escape the censure of their congregations, shall not be by the minister of the parish received to the holy communion, before such time as they have been either censured by the said congregations for their said offence, or otherwise reconciled themselves to their said congregations, and thereupon made sufficient proof, or else have made their case known unto us, and thereupon have received from us and our authority order for their admission to the English congregation, if we shall so think good. And this our order we will to be published in the said Dutch congregations, as also shewed and intimated unto the ministers of each congregation in London and Colchester, where any of the Dutch congregations do dwell, that every one and all they that respectively it doth concern, may take notice of this our order, and observe the same accordingly.

In witness whereof we have caused the seal of our chancellor, which is used in this behalf, to be set to these presents. Dated the ninth day of August, in the year of our Lord God M.DC.XV. and in the fourth year of our consecration.

Archiepisc. Cant.
GEO. ABBOT. 6.

Anno Christi
1616.

Reg. Angliae
JACOB. I. 14.

Consecratio capellae et coemiterii. Ex reg. 1. Abbot fol. 288.

DIE dominico, primo videlicet die mensis Septembris, anno Domini M.DC.XVI. inter horas nonam et duodecimam ante meridiem ejusdem diei, ad ostium sive introitum capellae sive oratorii noviter constructi per venerabilem virum Edwardum Alleyn, armigerum, in quadam domo sua per eum noviter constructi in villa sive hamlet de Dulwich, intra parochiam de Camberwell, alias Camerwell, in comitatu Surriae, Winton. dioec. Cant. provinciae, coram reverendissimo in Christo patre domino Georgio, Cant. archiepiscopo etc. ad quem omnis et omnimoda jurisdictio spiritualis et ecclesiastica in et per totam dioeces. Winton. tam ratione vacationis etc. quam visitationis suae metropoliticae etc. dignoscitur pertinere; in praesentia mei Johannis Drake, N. P. etc.

Negotium dedicationis et consecrationis capellae sive oratorii et coemeterii in villa sive hamlet de Dulwich in comitatu Surriae.

Quibus die et loco comparuit personaliter dictus venerabilis vir Edwardus Alleyn, armiger,

et allegavit, quod dicta domus sua, quam quidam domum gratia Dei, et licentia domini nostri regis, in collegium pro pauperibus, ut asseruit, convertere proposuit et intendit, sita et scituata in villa sive hamleta de Dulwich, intra parochiam de Camberwell, alias Camerwell, in comitatu Surriae praedicti. et quod longe distat ab ecclesia parochiali de Camberwell praedicti. videlicet circiter duo milliaria, ita ut sine periculo et difficultate, praesertim udis et hyemalibus temporibus, cum familia sua commode, et tempore opportuno, ad eandem ecclesiam ad divina audienda, ac pias et religiosas devotiones Deo optimo maximo debite praestand. accedere non possit; et ideo, quo Deo melius inserviat cum familia sua, et hominibus testimonium amoris sui christianae religionis in hoc regno Angliae recept. et profess. exhibeat, capellam sive oratorium in eadem domo sua, super propriis suis terris, propriisque suis sumptibus noviter aedificavit, erexit et construxit, eandemque necessariis ad divinum cultum decenter et sufficienter instruxit et ornavit; ac insuper, allegavit prope dictam

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dictam domum suam et intra hamletam praedictam esse locum quendam muris circumdat. pro coemeterio sive loco sepulturae corporum in dicta domo et hamleta morient. destinat. ac humiliter et instanter petiit tam nomine suo proprio, quam nominibus omnium inhabitantium in villa sive hamleta praedicta. quatenus dictus reverendissimus pater, sede episcopali Winton. jam vacante, praedictam capellam sive oratorium in usus sacros et divinos, dictumque locum sive fundum pro coemeterio, sive loco sepulturae in hamleta praedicta. destinat. in coemeterium sive locum sepulturae corporum demortuorum in et pro hamleta praedicta respective dedicand. et consecrand. fore decernere, et auctoritate sua ordinaria et metropolitana dedicare, et consecrare dignaretur. Unde dictus reverendissimus pater pio et religioso desiderio dicti Edwardi Alleyn in hac parte favorabiliter annuens, ad ejus petitionem decrevit praedictam capellam sive oratorium, ac locum et fundum pro coemeterio, sive loco sepulturae destinat. respective dedicand. et consecrand. fore juxta ejus in hac parte petita, ac procedend. fore ad consecrationem eorundem. Et statim idem reverendissimus pater, una cum venerabilibus et egregiis viris dominis Edmundo Bowyer, Thoma Grymes, Willielmo Gresham, Thoma Hunt, et Jeremia Turner, militibus, ac multis aliis capellam praedictam intravit, et ad orientalem finem ejusdem capellae se contulit, ibidemque in cathedra pro eo locata et parata judicialiter sedens, ac rite et legitime procedens, capellam sive oratorium praedictum. divino cultui, divinorum celebrationi, sacramentorum administrationi, verbi divini praedicationi, et corporum demortuorum sepelitioni, aliorumque divinorum officiorum executioni dedicavit et consecravat, legendo, ferendo, et promulgando publice, et alta voce sententiam sive schedulam dedicationis et consecrationis capellae praedictae in scriptis conceptam, sub tenore verborum sequentium, videlicet: In Dei nomine, Amen. Cum venerabilis vir Edwardus Alleyn, armiger, pia et religiosa devotione ductus, hanc capellam sive oratorium continen. infra muros ejusdem in longitudine ab oriente ad occidentem quadraginta et septem pedes aut eo circiter, et in latitudine ab aquilone versus austrum praeter campanile ejusdem viginti et quatuor pedes aut eo circiter, super propriis suis terris propriisque suis sumptibus noviter aedificaverit, erexit, et construxerit in quadam domo sua, per eum etiam noviter construct. in villa sive hamleta de Dulwich, intra parochiam de Camberwell, alias Camerwell, in comitatu Surriae Winton. dioec. nostraeque Cant. provinciae, quam qui dem domum dictus Alleyn, gratia Dei et licentia domini nostri regis in collegium pro pauperibus convertere proposuit et intendit, eandemque capellam suggesto, mensa, et baptisterio sacro, sedibus convenientibus aliisque necessariis ad divinum cultum decenter et sufficienter instruxerit et ornaverit, nobisque supplicaverit, quatenus nos, sede episcopali Winton. jam vacante, auctoritate nostra ordinaria et metropolitana dictam capellam in usus infra scriptos sacros et

divinos dedicare et consecrare dignaremur; nos Georgius, providentia divina Cant. archiepiscopus, totius Angliae primas et metropolitanus, ad quem omnis et omnimoda jurisdictio spiritualis et ecclesiastica in et per totam dioecesim Winton. tam ratione vacationis ejusdem sedis, quam visitationis nostrae metropolitanae infra eandem dioecesim modo pendentis, desiderio in hac parte annuentes, ad consecrationem hujus capellae sive oratorii de novo sumptibus propriis dicti Edwardi Alleyn, ut praefertur, erectae, instructae, et ornatae, auctoritate nostra ordinaria et metropolitana procedentes, hanc capellam sive oratorium praedictum, divino cultui, divinorum officiorum celebrationi, ac tam ad sacramenta coenae dominicae ac baptismatis sacri in eadem ministranda, quam ad matrimonia inibi solemnizanda, divinas preces Deo fundendas et verbum Dei pure et sincere praedicandum, et proponendum, ac demortuos praecipue infra domum et praedictam hamletam decedentes, cum consensu tamen praedicti Edwardi Alleyn, seu ejus, qui magisterium sive praefecturam praedictae domus pro tempore existen. habuerit, in capella praedicta sepeliendos, ac caetera sacramentalia inibi exequenda et exercenda in Dei honorem, ac pro salute animarum, et usu praedicti Edwardi Alleyn, ejusque familiae, ac praefecti magistri sive gubernatoris domus praedictae pro tempore existent. omniumque inhabitantium nunc et infuturum in eadem domo et hamleta de Dulwich praedicta, quantum in nobis est, ac de jure, legibus, statutis, et canonibus hujus regni Angliae possumus, et nobis liceat, dedicamus et consecramus per nomen capellae Christi, in villa sive hamleta de Dulwich praedicta, et sic dedicatam, consecratam, et assignatam fuisse et esse, ac perpetuis futuris temporibus remanere debere palam et publice pronunciamus, decernimus, et declaramus, et per nomen capellae Christi, prout praefertur, perpetuis futuris temporibus nominandam et appellandam fore decernimus et appellamus. Privilegiis insuper omnibus et singulis in ea parte usitatis et requisitis, et capellis ab antiquo fundatis competentibus, hujusmodi capellam sive oratorium ad omnem juris effectum munitam esse volumus, et quantum in nobis est, et de jure possumus, sic munimus et stabilimus per praesentes; salvo semper jure et interesse matricis ecclesiae, in cujus parochia dicta capella sive oratorium praedictum sit. et scituat. est, cum omnibus et singulis decimis, oblationibus, vadiis, proficuis, privilegiis, juribus, et emolumentis quibuscunque; necnon oneribus reparationis, ac aliis sumptibus ordinariis et extraordinariis ad dictam matricem ecclesiam de jure vel consuetudine quoquomodo debitis vel consuetis, aut spectantibus et pertinentibus, ac praedicto reservata Edwardo Alleyn, ac praefecto, magistro, sive gubernatori praedictae domus pro tempore existen. libera et plena potestate idoneum presbyterum ad divina officia praedicta exequenda et celebranda in eadem capella, auctoritate loci ordinarii pro tempore existen. de tempore in tempus approband. et licentiand. Proviso semper quod praedictus Edwardus Alleyn, et praefectus, magister, sive gubernator

gubernator praedictae domus, de tempore in tempus, infuturum, propriis suis sumptibus curatum five ministrum in eadem capella inservientem, et auctoritate loci ordinarii approbandum, et licentiandum, alet, sustinebit, et annuale stipendium viginti marcarum ad minus eidem curato praestabit, sine ulla diminutione vel defalcatione juris ecclesiastici oblationum, vel decimarum, et obventionum quarumcunque ad rectoriam five vicariam de Camberwell, alias Camerwell, praedict. quoquomodo de jure vel consuetudine spectant. five pertinent. et ulterius, quod pro sepulturis in eadem capella, aut ratione earundem, oblationes five mortuaria, feoda, et vadia de jure seu consuetudine debita omnia, et singulo vicario praedictae matricis ecclesiae, ac gardianis et ministris ejusdem pro tempore existent. integre solvantur in tam amplis modo et forma, prout pro sepulturis in cancello dictae matricis ecclesiae solvi consuetum fuit, ac ut solvi solent et debent, si personae praedictae sepelirentur in cancello dictae matricis ecclesiae. Quae omnia et singula, quatenus in nobis est, et de jure possumus, sic decernimus, stabilimus, et reservamus per praesentes.

G. CANT.

Qua quidem sententia five schedula lecta, dictus reverendissimus pater preces Deo optimo maximo fudit pro acceptatione operis praedict. sub forma verborum sequentium, videlicet: "O most merciful Father, heaven is thy throne and the earth is thy footstool, what house then can be built for thee? or what place is there, that thou shouldest rest in? But yet since it hath been ever thy delight to be with the sons of men, therefore in all ages of the world thy servants have separated and hallowed certain places from all prophane and common uses unto thy divine service, either by thy especial commandment, or by the inspiration of thy blessed Spirit. So Adam had his oratory in paradise; and Jacob his praying place in the fields; Moses his holy ground in the Wilderness; and the Israelites their tabernacle for thy worship in the land of Promise; until it pleased thee, at the last, to put into the heart of king Solomon, to build a temple to thine honour in Jerusalem; admirable for beauty, invaluable for riches, renowned for sanctity throughout all the world, whither the tribes of Israel did ascend three times a year, to offer sacrifices and oblations unto thee: and afterwards thy people being inflamed with the zeal of this house, added daily unto their mother church lesser synagogues in every town; by which godly examples revealed in thy word, the christian churches in their succession have made and consecrated houses unto thee, as well for the celebration of thy divine ordinances and preaching of thy heavenly word, as for the invocation of thy great name, and administration of thy holy sacraments: for the temple is the court of audience, wherein thou dost sit to hear our prayers, and it is our heaven upon earth, wherein we assemble and meet together to laud and magnify thy glorious majesty. And doth not reason and re-

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ligion inforce us unto this work? for shall the sparrow have an house, and the swallow her nest; and shall not we find out an house for thee O Lord our redeemer? Shall we, which are but dust and ashes, build unto ourselves cieled and beautiful houses for our worldly affairs, yea and for our pleasures, and shall we not build and dedicate some houses for thy worship, unto thy great and fearful name, and repay, as it were, the tithes of our dwelling places back again unto thee? for all things come from thee, and we can give thee but thy own. Accept therefore, we beseech thee, most gracious Father, of this our bounden duty; and because, except thou build the house, they labour but in vain that build it; sanctify this house with thy gracious presence, which is erected unto the honour of thy service. Now therefore arise O Lord, and come into this place of rest, let thine eyes be open towards this house night and day; let thine ears be ready to hear the prayers of thy children, which they shall pour forth unto thee in this place, and let thine heart delight to dwell here perpetually; and whensoever thy servants shall make their petitions unto thee in this house either to bestow thy good graces and blessings upon them, or to remove thy heavy punishments and judgments from them, hear thou from heaven, thy dwelling place, and when thou hearest, have mercy; and grant O Lord we beseech thee, that here and elsewhere thy priests may be clothed with righteousness, and that all thy saints may rejoice in thy salvation. So that when we shall cease to pray unto thee in these earthly temples, we may at the last praise thee in thy glorious temple not made with hands, but eternal in the heavens; for thy dear Son and our blessed saviour Jesus Christ his sake, who liveth and reigneth with thee, and the Holy Ghost one God world without end. Amen." Quibus sic peractis, magister Cornelius Lymer, artium magister, in sacris diaconatus et presbyteratus ordinibus constitutus, in sedili procurato assignat. sedens, preces divinas ac psalmos quosdam selectos, et capitulum legit; videlicet psalmos 84. et 122. et capitulum decimum evangelii secundum Johannem: eisque finitis, praefatus reverendissimus pater suggestum ascendit, ac hymno prius decantato, super hoc themate in 76. psalmo, versiculo undecimo, videlicet, "Promise unto the Lord your God and keep it" etc. praedicavit, et verbum Dei populo ibidem in numero copioso congregato docte exposuit. Qua quidem concione finita, psalmoque decantato, idem reverendissimus pater populum congregatum cum benedictione dimisit, et e capella praedicta excessit, et ad locum five fundum pro coemeterio five loco sepulturae parat. in hamleta praedict. paratum, cum praefato magistro Edwardo Alleyn, et multis aliis praemissis interessentibus accessit, et eundem intravit, et ad quendam locum in eodem fundo, ubi cathedra pro eo parata et locata fuit, se contulit, et in eadem se reposuit; et tunc et ibidem idem reverendissimus pater judicialiter sedens, ad petitionem dicti Edwardi Alleyn tam nomine suo proprio, quam nominibus omnium

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inhabitantium in villa five hamleta de Dulwich praedict. locum et fundum praedict. in coemeterium five locum sepulturae corporum demortuorum, in et pro hamleta praedicta dedicavit et consecravit legend. ferend. et promulgand. publice et alta voce sententiam five schedulam dedicationis et consecrationis coemeterii praedicti in scriptis etiam concept. tenoris sequentis, videlicet: In Dei nomine, Amen. Nos Georgius providentia divina Cant. archiepiscopus, totius Angliae primas et metropolitanus, ad quem omnis et omnimoda jurisdictio spiritualis et ecclesiastica in et per totam dioecesim Winton. tam ratione vacationis ejusdem sedis, quam visitationis nostrae metropolitanae infra eandem dioec. modo pendens, notorie dignoscitur pertinere, hunc locum et fundum jacent. in villa five hamleta de Dulwich, intra parochiam de Camberwell, alias Camerwell, in comitatu Surriae, Winton. dioec. praedict. nostraeque Cant. provinciae, adjacen. viae altae regiae ducenti a villa de Camberwell praedict. ad quandam noviter constructam per Edwardum Alleyn, armigerum, in villa five hamleta de Dulwich praedict. jam muris undique inclus. continen. in latitudine ab oriente versus occidentem octoginta et sex pedes, aut eo circiter, et in longitudine a parte boreali versus austrum centum et quinquaginta pedes, aut eo circiter, a pristinis et aliis quibuscunque usibus communibus et prophanis in usus sequentes separand. fore decernimus, ac eadem inhabitantibus et degentibus in villa five hamleta de Dulwich praedict. in coemeterium five locum sepulturae corporum demortuorum in et pro hamleta praedicta, quantum in nobis est, ac de jure, legibus, statutis, et canonibus hujus regni Angliae possumus, assignavimus, et auctoritate nostra ordinaria et metropolitana per nomen coemeterii hamletae praedict. dedicamus et consecramus, et in usum praedictum habend. et tenend. ac coemeterium hamletae praedictae deinceps inperpetuum nuncupand. et appelland. fore decernimus; privilegiis insuper omnibus et singulis in ea parte usitatis et requisitis, et antiquis coemeteriis, et locis sepulturae ab antiquo consecratis et dedicatis, competentibus, hujusmodi coemeterium five locum sepulturae ad omnem juris effectum munitum esse volumus, et quantum in nobis est, et de jure possumus, sic munimus et stabilimus per praesentes; salvo tamen et reservatis vicario vicariae ecclesiae parochialis de Camberwell, alias Camerwell praedicta, ac gardianis aliisque ministris dictae ecclesiae pro tempore existen. inperpetuum, omnibus et singulis oblationibus, mortuariis, feodis, et vadiis, pro omnibus et singulis sepulturis mortuorum in hoc coemeterio five loco sepulturae, aut ratione earundem de jure five consuetudine debitis, in tam amplis modo et forma, ac si personae praedictae sepelirentur in coemeterio matricis ecclesiae praedictae. Quae quidem oblationes, mortuaria, feoda, et vadia omnia et singula, sic de jure aut consuetudine debita vicario, gardianis, et ministris dictae matricis ecclesiae pro tempore existent. inperpetuum solvend. quatenus in nobis est, et de jure possumus, reservamus per praesentes.

G. CANT.

Quibus sic factis, reverendissimus pater antedictus preces Deo omnipotenti fudit pro acceptatione operis praedicti, sub hac forma verborum, videlicet: "Most merciful Father, thou hast been pleased to teach us in thy holy word, that the very bodies of thy faithful servants are not made in vain, but that living and dying they have their special uses appointed by thy self; thou hast framed them here on earth to be the workmanship of thy hands, and to found out thy glory; thou hast fashioned them unto the shape of thine own Son, that by a spiritual union they should be as bone of his bone and flesh of his flesh; thou hast made them the temples of thy Holy Ghost, that thy sacred Spirit may move and work in them those things, which by thy mercy are acceptable in thy sight; and when they are to rest with their fathers, and to return unto the earth, from whence they were taken, thou hast appointed them not for ever to remain there in corruption, but at the day of general resurrection to come forth of the graves, to be possessed with eternity, and to be crowned with immortality. We cannot therefore but take knowledge by the examples of thy patriarchs, and holy men in all ages, and by that which thy blessed word hath revealed unto us, that it is thy gracious pleasure, that when thy servants shall by thee be called out of this miserable world, their bodies should be seemly and decently committed unto christian burial, that in the bowels of the earth they may remain in hope of a joyful resurrection; and having for that purpose made choice of this place, where we now are, that it may be a receptacle for the bodies of such of our brethren and sisters, as thou dost ordain hither; we beseech thee to accept this work of ours, and mercifully to grant that we who be here present, may never forget our dissolution from the tabernacle of this flesh, but that living we may think of death, and dying we may apprehend life, to the everlasting comfort of our souls; and for those whose bodies are hereafter to be committed to this earth, so guide them with thy grace while they are here in this world, that setting thee evermore before their eyes, and accounting all things vain in comparison of their enjoying of thee their only God and saviour, they may live in thy fear, and die in thy faith, and so be made heirs of thy everlasting kingdom, through Jesus Christ our Lord and blessed redeemer. Amen." Et tunc dictus reverendissimus pater populum congregatum cum benedictione dimisit. Super quibus omnibus et singulis praemissis, dictus magister Edwardus Alleyn tam nomine suo proprio, quam nomine omnium inhabitantium in hamleta praedicta, requisivit me praefatum Johannem Drake, N. P. tunc praesentem, ad conficiend. sibi unum vel plura publicum seu publica instrumentum five instrumenta, testesque, etc. Praesentibus tempore consecrationis capellae praedictae venerabilibus viris militibus supranominatis, praesentibus etiam tam tempore consecrationis dictae capellae, quam coemeterii praedicti, venerabilibus viris Thoma Goade, sacrae theologiae professore, Roberto Hatton, armigero

The king's letter to the Archb. about CHELSEA COLLEGE. 459

migero, Mauritio Abbot, mercatore, Willelmo Ascough, Edwardo Leventhope, et Humfrido Orme, generosis, et Johanne Gilpyn, apparitore

generali dicti reverendissimi patris, et aliis testibus in hac parte requisitis.

Archiepisc. Cant.
GEO. ABBOT 6.

Anno Christi
1616.

Reg. Angliæ
JACOB. I. 14.

The king's letter to the archbishop of Canterbury for carrying on of Chelsea College.
Fuller's Ch. Hist. l. x. pag. 52.

WHEREAS the enemies of the gospel have ever been forward to write and publish books for confirming of erroneous doctrine, and impugning the truth, and now of late seem more careful, than before, to send daily into our realms such their writings, whereby our loving subjects, though otherwise well disposed, might be seduced, unless some remedy thereof should be provided; we, by the advice of our council, have lately granted a corporation, and given our allowance for erecting a college at Chelsea, for learned divines, to be employed to write as occasion shall require, for maintaining the religion professed in our kingdoms, and confuting the impugnors thereof; whereupon Dr. Sutcliffe, designed provost of the said college, hath now humbly signified unto us, that upon divers promises of help and assistance towards the erecting and endowing the said college, he hath at his own charge begun and well proceeded in building, as doth sufficiently appear by a good part thereof already set up in the place appointed for the same; we therefore being willing to favour and further so religious a work, will and require you to write your letters to the bishops of your province, signifying unto them in our name, that our pleasure is, they deal with the clergy and others of the diocese, to give their charitable benevolence for the perfecting of this good work so well begun; and for

the better performance of our desire, we have given order to the said provost and his associates, to attend you and others whom it may appertain, and to certify us from time to time of their proceeding.

A copy of this his majesty's letter was sent to all the bishops of England, with the archbishop's additional letter, in order as followeth:

Now because it is so pious and religious a work, conducing both to God's glory and the saving of many a soul within this kingdom, I cannot but wish that all devout and well affected persons should by yourself, and the preachers in your diocese, as well publickly as otherwise, be excited to contribute in some measure to so holy an intendment, now well begun: and although these and the like monitions have been frequent in these latter times; yet let not those, whom God hath blessed with any wealth be weary of well-doing, that it may not be said, that the idolatrous and superstitious papists be more forward to advance their falsehoods, than we are to maintain God's truth.

Whatsoever is collected, I pray your lordship, may be carefully brought unto me, partly that it may pass not through any defrauding hand, and partly that his majesty may be acquainted, what is done in this behalf.

The king's directions to the universities. Heylin's life of A. B. Laud ad ann. M.DC.XVI.

JAMES Rex.

I. THAT it was his majesty's pleasure, that he would have all that take any degree in schools, to subscribe to the three articles in the XXXVIth canon.

II. That no preacher be allowed to preach in the town, but such as are every way conformable both by subscription, and every other way.

III. That all students do resort to the sermons in St. Mary's, and be restrained from going to any other church in the time of St. Mary's sermons; and that provision be made that the sermons in St. Mary's be diligently made, and performed both before noon and after noon.

IV. That the ordinary divinity act be constantly kept with three replicants.

V. That there be a greater restraint of scholars haunting town houses, especially in the night.

VI. That all scholars, both at the chapel, and at the schools, keep their scholastical habits.

VII. That young students in divinity be di-

rected to study such books, as be most agreeable in doctrine and discipline to the church of England, and incited to bestow their times in the fathers and councils, schoolmen, histories and controversies, and not to insist so long upon compendiums and abbreviations, making them the grounds of their study in divinity.

VIII. That no man, either in pulpit or school, be suffered to maintain dogmatically any point of doctrine, that is not allowed by the church of England.

IX. That Mr. Vicechancellor and the two professors, or two of the heads of houses do at such time, as his majesty resorts into those parts, wait upon his majesty, and give his majesty a just account, how these his majesty's injunctions are observed.

X. Let no man presume, of what condition or degree soever, not to yield his obedience to these his majesty's directions, lest he incur such censures, as the statutes of this university may justly inflict upon such transgressors.

The

Archiepisc. Cant.
GEO. ABBOT 8.

Anno Christī
1618.

Reg. Angliae
JACOB. I. 16.

*The king's instructions to the * divines sent by him to the synod at Dort. Fuller's Ch. Hist. l. x. pag. 77.*

OUR will and pleasure is that from this time forward, upon all occasions, you inure yourselves to the practice of the Latin tongue, that when there is cause you may deliver your minds with more readiness and facility.

II. You shall in all points, to be debated and disputed, resolve among yourselves beforehand, what is the true state of the question, and jointly and uniformly agree thereupon.

III. If in debating of the cause before the learned men there, any thing be emergent, whereof you thought not before, you shall meet and consult thereupon again, and so resolve among yourselves jointly, what is fit to be maintained; and this to be done agreeable to the scriptures, and the doctrine of the church of England.

IV. Your advice shall be to those churches, that the ministers do not deliver in pulpit to the people those things for ordinary doctrines, which are the highest points of schools, and not fit for vulgar capacity, but disputable on both sides.

V. That they use no innovation in doctrine, but teach the same things, which were taught twenty or thirty years past in their own churches, and especially that which contradicteth not their

own confessions, so long since published and known to the world.

VI. That they conform themselves to the public confessions of the neighbour reformed churches, with whom to hold good correspondence shall be no dishonour to them.

VII. That if there be any main opposition between any, who are overmuch addicted to their own opinions, your endeavour shall be, that certain positions be moderately laid down, which may tend to the mitigation of heat on both sides.

VIII. That as you principally look to God's glory, and the peace of those distracted churches, so you have an eye to our honour, who send and employ you thither, and consequently at all times consult with our ambassador there residing, who is best acquainted with the forms of those countries, understandeth well the questions and differences among them, and shall from time to time receive our princely directions, as occasion shall require.

IX. Finally, in all other things, which we cannot foresee, you shall carry yourselves with that advice, moderation, and discretion, as to persons of your quality and gravity shall appertain.

Archiepisc. Cant.
GEO. ABBOT 9.

Anno Christī
1619.

Reg. Angliae
JACOB. I. 17.

The archbishop of Canterbury's letter for an uniform manner of prayer before sermon. Reg. II. Abbot fol. 181. b.

My very good lord. His majesty finding partly in his own chapel, but much more in his progresses abroad, that those who preach before him do in their prayers use several and unfit forms, as sometimes naming king James, and nothing else, sometimes using uncertain words, in declaring him to be the defender of the faith, and the like, for being supreme governor in causes both ecclesiastical and temporal, hath commanded me to direct my letters unto the bishops of this province of Cant. to take some course for the reformation of the same; as also for the omitting to pray for archbishops and bishops according to the form laudably used in the church of England; whereunto his majesty is the rather moved, because he cannot but conceive that these disorders are frequent in market towns and country parishes, when before his own royal presence there is so strange an omission. Now because in the last canons there is a special and particular provision for the same, and a direct form set down, to the end, that there may be an uniformity

in the church; I do hereby pray your lordship, and in his majesty's name require you to use all the carefulness that you can, for the accomplishing of the same, according to the canon, within your diocese, which will be easily done, if yourself shall require so much of the dean and chapter of your cathedral church, and give in charge unto your archdeacons and chancellor, that in their visitations they do strictly warn the clergy under their jurisdiction, that they at all times, and in all places, where they preach, do observe the same; letting them know, that if hereafter, out of any humour or neglect they transgress in this kind, they are like to undergo such censures ecclesiastical, or otherwise, as are fit to be inflicted upon so high a contempt. And because I do receive complaint almost out of all countries, that the churches are neither repaired, nor seemly adorned, as is fit for the house of God; I pray your lordship, that together with this other charge your subordinate officers may stir up your clergy in solemn sort in their sermons, to call upon the

* George Carleton, bishop of Landaff, Joseph Hall, dean of Worcester, John Davenant, Marg. professor at Cambr. Sam. Ward, master of Sidney col. Cambr.

Archbishop's letter for uniform prayer before sermon. 461

people for reforming this so irreligious an abuse. And so hoping to receive some report from your lordship before it be long, what is done in this behalf, with my hearty commendations I leave you to the Almighty. From Lambeth the ninth of October, M.DC.XIX.

Archiepisc. Cant.
GEO. ABBOT 10.

Anno Christi
1620.

Reg. Angliae
JACOB. I. 18.

Convocatio praelatorum et cleri provinciae Cantuar. Ex MS. Mil. Smith.

CONVOCATIO praelatorum et cleri provinciae Cantuar. per breve regium et mandatum archiepiscopi ad diem 17. mensis Januarii in ecclesia S. Pauli London. summonita, bis per breve regium ad 21. Februarii prorogabatur. In septima hujus synodi sessione inferior concilii domus schedulam exhibuit eorum, qui ca-

nones anno M.DC.IV. editos neglexerunt. Post varias deinde sessiones ac prorogationes per breve regium convocatio haec ab episcopo Wigorn. archiepiscopi commissionario, per aliud breve die nono mensis Februarii, M.DC.XXI. dissoluta fuit.

Convocatio praelatorum et cleri provinciae Ebor. Ex reg. Ebor.

PRAELATI et clerus provinciae Ebor. ad novum concilium provinciale die 17. Januarii in ecclesia metropolitana B. Petri Ebor. inchoandum et celebrandum per breve regium citantur. Per aliud ad continuandum illud die 24. rursus per aliud die 31. Januarii comparere jubentur: quo die subsidium quatuor solidorum per libram domino regi concessum est. Die quinto Ju-

nii sequentis breve regium emanavit ad prorogandam convocationem cleri provinciae Ebor. usque in 15. Novembris; et rursus aliud breve ad 21. diem ejusdem mensis eos continuavit, donec breve dat. 9. Februarii convocationem dissolvi jufferit; quod die Mercurii, penultimo videlicet die Februarii factum est.

Academiae Oxoniensis epistola ad Jacobum regem, qua gratias agit pro operibus.

Ex autographo in fylloge epistol. annex. Tito Livio Foro-Julienfi edit. Hearn. pag. 198. seq.

POTENTISSIMO, doctissimoque principi Jacobo, Dei gratia Magnae Britanniae, Franciae, et Hiberniae regi, nostroque Maecenati munificentissimo, academia Oxoniensis.

Augustissimum et vere βασιλικὸν δῶρον, rex serenissime, tanquam ancile quoddam caelitus delapsum, pio amplexa est affectu ancilla vestra Oxoniensis academia. Cujus enim pectus non accendat aureum hoc solis jubar? quos stimulos non imprimat perpetuum honoris pignus, et amplissimum favoris monumentum? parum abest, quin spatiosus Britanniae ambitus simul in academiam laxetur, et unanimis undequaque populus ad regis exemplum compositus, in gentem philosophorum vertatur. Agnoscit sacrum musarum adytum majestatis vestrae genium, aureo volumine inclusum, cujus instinctu et propitio numine plena nunc omnium pectora incalescunt. Agnoscunt circumstipantes reliquorum musae antesignanum hunc Phoebum, cujus radiis suas debent stricturas. Felicitatem tantam sublimi, debita tamen superbia admiratur bibliotheca,

cujus fidae custodiae tam regale depositum et stupendus totius orbis thesaurus consecratur. Gloriatur universa studioforum cohors, regiam vestram majestatem in aula versari, acsi in Helicone, tam calamo quam gladio accingi, et imperii habenas literarum caduceo moderari. Desinant igitur ambulancia hominum cadavera literas despicere, quas nesciunt; quum cogitarint principem, tam multa scientem quam regentem, horarum formulas vicissitudine regiminis et scriptionis dividentem, acsi aequae jucundum in literis ac imperio sit. Quid superest, nisi ut aeternitatem expectes, cum literas aeternas esse facias? Nos interim, et posterum omnes grato ore resonabunt monarchae Jacobi otium plus patriae et humano generi profuisse, quam aliorum negotium ac exercitus.

Sacrae majestati vestrae devinctissima,
Academia Oxoniensis.

E domo nostrae convocationis
Maii 29. anno Domini M.DC.XX.

Archiepisc. Cant.
GEO. ABBOT 11.

Anno Christi
1621.

Reg. Angliae
JACOB. I. 19.

The council's letter to the archbishop of Canterbury for a collection for the French protestants. Reg. II. Abbot fol. 194. b.

RIGHT reverend father in God my very good lord. I have received letters from the lords of his majesty's most honourable privy council in behalf of the poor strangers, who by

reason of the present troubles in France are fled into this realm; the tenor whereof here ensueth: After our very hearty commendations to your good lordship. It cannot be unknown

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to.

to your lordship, that by reason of the present troubles in France many strangers in that place professing the same religion with us, have for their conscience sake retired themselves into this kingdom; in contemplation of whose distressed estate, as his majesty's pleasure is they should in general receive all kind and favourable usage, so in his princely and pious commiseration of the necessities of a great number of them, who living in a strange country, wanting both means and employment, are likely to suffer much misery, without the assistance and relief of other good christians; his majesty is pleased that their wants should be recommended unto the charity of all his subjects generally throughout this kingdom. These are therefore to pray your lordship, to direct your letters to the several bishops within your province, to take order, that in the several parish churches of every diocese his majesty's loving subjects may be moved to contribute towards the relief of the poor French protestants, refuged hither for their conscience; and that the monies collected be sent unto the bishop of the diocese, or unto such person, as he shall appoint to receive the same, which shall be afterwards returned hither, to be distributed by the direction of the ministers and elders of the French church, according to the necessities of the persons. And

so very earnestly recommending this charitable work unto your lordship, we bid you very heartily farewell. From Whitehall the 19. of September, M.DC.XXI. Your good lordship's very loving friends, J. Linc. C. S. H. Maundeville, Lenox, Arundell et Surry, Pembroke, Kellie, H. Falkland, J. Brooke, Geo. Calvert, Jul. Caesar. Now because there is nothing which more agreeth with christian charity, than to be compassionate towards them, who profess the same faith and religion, and are now in distress by their fearful flight from their native country and friends; I am to move your lordship, that with tenderness of affection you take this cause to heart, and that you excite others in the bowels of Jesus Christ, by a liberal contribution to extend their commiseration unto these our brethren in this their grievous and pressing affliction; whereof not doubting but that your lordship and other devout people will have a true sense and fellowfeeling and that with all convenient speed, I leave your lordship to the Almighty. From Croydon the 28. of September, M.DC.XXI.

Your lordship's loving brother,

G. CANTUAR.

Archiepisc. Cant.
GEO. ABBOT II.

Anno Christi
1621.

Reg. Angliae
JACOB. I. 19.

Dispensatio cum Georgio, archiepiscopo Cantuariensi, super irregularitate. Ex reliq. Spelm.

REVERENDISSIMO in Christo patri Georgio, providentia divina Cantuariensi archiepiscopo, totius Angliae primati et metropolitano, Johannes Lincoln. Georgius London. Lancelotus Winton. Samuel Norwicen. Thomas Coven. et Lich. Arthurus Bathon. et Wellen. Nicolaus Elien. et Georgius Cicestrensis, permissione divina respective episcopi de provincia Cantuar. salutem et gratiam in Domino sempiternam. Recepimus literas commissionales a serenissimo in Christo principe ac domino nostro, domino Jacobo, Dei gratia Angliae, Scotiae, Franciae, et Hiberniae rege, fidei defensore, etc. sub magno sigillo Angliae confectas et nobis directas, quarum tenor sequitur in haec verba:

Jacobus, Dei gratia Angliae, Scotiae, Franciae, et Hiberniae rex, fidei defensor, etc. reverendo in Christo patri, et perdilecto et perquam fidei consiliario nostro Johanni, episcopo Lincoln. custodi magni sigilli nostri Angliae, ac reverendo in Christo patri Georgio, episcopo London. ac reverendo in Christo patri, ac perdilecto et perquam fidei consiliario nostro Lanceloto, episcopo Winton. necnon reverendis in Christo patribus Samueli Norwicen. Thomae Coven. et Lichen. Nicolao Elien. Arthuro Bathon. et Wellen. et Georgio Cicestren. respective episcopis, salutem et gratiam.

Humili nobis supplicatione exposuit reverendissimus in Christo pater, perdilectus et perfide-

lis consiliarius noster Georgius, Cantuar. archiepiscopus, quod cum nuper in parco quodam vocato Bramzil-park, apud Bramzil in comitatu nostro Southampton. per honorandum virum ejusdem parci dominum rogatus et invitatus damnam sagitta figere destinaret, debita adhibita diligentia, ne quid inde periculi cuiquam eveniret, forte tamen accidit, ut sagitta ab eo emissa, et in feram directa, in quendam Petrum Hawkins, adtunc parci praedicti custodem, improvide et temere se periculo ictus sagittae exponentem, et per locum ubi a praefato archiepiscopo conspici non potuit, cum impetu transcurrentem incideret, eique brachium fauciaret; ex quo quidem vulnere infra unius horae spatium expirabat. Et quamvis propter hujusmodi homicidium casuale nulla praefati archiepiscopi culpa, sed ipsius occisi temeritate contingens, idem reverendissimus pater bona fretus conscientia, se nullam omnino irregularitatem incurrisse, persuasissimum habeat; provida tamen animi circumspectione, et ut omnis infirmorum mentibus scrupulus eximatur, secum a nobis super omni et omnimoda irregularitate, et irregularitatis nota, aut suspicionem, si quam praemissorum ratione contraxisse forsitan aliquibus videri possit, ad cautelam et ex superabundanti dispensari humiliter supplicavit. Sciatis igitur, quod nos petitionis hujusmodi vim et efficaciam regio animo et pio affectu ponderantes, et de veritate praemissorum sollicita

inda-

indagatione certiores facti, et ut piam reverendissimi patris intentionem hac in re sequamur, et ad abundantiorē cautelam perfidelis consiliarii nostri, optimeque de ecclesia et republica meriti praesulis, statum, famam et dignitatem, nostri etiam patrocinii munimine tueri et firmare dignoscamur, ad praesentem venimus dispositionem; vobisque vel aliquibus sex vestrum, quorum vos praefat. Johannem Lincoln. Georgium London. Lancelotum Winton. et Samuelem Norwicen. respective episcopos, quatuor esse volumus, de quorum etiam fide, iudicio, et industria plurimum confidimus, mandamus, et de gratia nostra speciali, et ex auctoritate nostra regia suprema et ecclesiastica, qua fungimur, pro nobis, haeredibus, et successoribus nostris damus et plenam concedimus facultatem et potestatem per praesentes, quatenus vos vel aliqui sex vestrum, quorum vos praefatos Johannem Lincoln. Georgium London. Lancelotum Winton. et Samuelem Norwicen. respective episcopos, quatuor esse volumus, cum praefato reverendissimo patre super omni et omnimodo juris vel facti defectu, censura sive poena aliqua canonica et ecclesiastica, praesertim vero irregularitate omni seu irregularitatis nota, si quae forsitan ratione praemissorum contracta fuit, vel quibusdam contracta esse videatur, utque in susceptis ordinibus et iurisdictionibus secundum creditam sibi ratione ordinis, et archiepiscopatus sui potestatem libere ministrare, frui, exercere, et gaudere valeat, ad maiorem cautelam dispensetis, ac caetera omnia et singula, quae ad statum, commodum, et honorem praefati reverendissimi patris conservandum et corroborandum in hac parte necessaria fuerint, seu quomodolibet opportuna, faciatis; et dispensationem huiusmodi, caeteraque sic, ut praefertur, per vos aut aliquos sex vestrum, quorum vos praefatos Johannem Lincoln. Georgium London. Lancelotum Winton. et Samuelem Norwicen. respective episcopos, quatuor esse volumus, facienda in debita juris forma concepta, et in scripta redacta, sigillisque vestris seu sigillo aliquo autentico munita, praefato archiepiscopo tradere non differatis. Quam quidem dispensationem, caeteraque sic, ut praefertur, per vos aut aliquos sex vestrum, quorum vos praefatos Johannem Lincoln. Georgium London. Lancelotum Winton. et Samuelem Norwicen. respective episcopos, quatuor esse volumus, peragendam sub magno insuper sigillo nostro Angliae confirmari volumus, et super his praefati magni sigilli nostri custodi aliisque cancellariae nostrae ministris quibuscunque expresse mandamus, et plenam tenore praesentium concedimus potestatem. Teste meipso apud Westmon. vicesimo secundo die Novembris, anno regni nostri Angliae, Franciae, et Hiberniae decimo nono, et Scotiae LV.

Secundum tenorem et exigentiam literarum

commissionalium praerecitatarum, et ad eximendum omnem scrupulum ab infirmorum mentibus, siquis forsitan sit, aut fuerit in ea parte conceptus; nos praedicti Johannes Lincoln. Georgius London. Lancelotus Winton. Samuel Norwicen. Thomas Coven. et Lichfeld. Arthurus Bathon. et Wellen. Richardus Elien. et Georgius Cicestren. respective episcopi, Dei nomine primitus invocato, ac Deum prae oculis solum habentes, et considerantes atque pro certo habentes, quod dicta venatio, cui per te data erat opera, quando dictum casuale homicidium (te nihil tale suspicante) accidebat, erat modesta, decens, et quieta, et quod debita per te adhibita erat diligentia in dicta venatione ad praecavendum, ne quid periculi alicui inde eveniret, tecum praefato Georgio, archiepiscopo Cantuariensi, super omni irregularitate et irregularitatis nota, si quam forsitan ratione casualis homicidii sive mortis praefati Petri Hawkins incurristi, vel aliquibus incurrisse videaris, ad omnem et qualemcunque juris effectum dispensamus; teque praefatum Georgium, archiepiscopum Cantuariensem, ac personam tuam ab omnibus et singulis inhabilitatibus, suspensionibus, irregularitatibus, aliisque poenis, impedimentis, censuris, et coercionibus quibuscunque ecclesiasticis sive canonicis, si quas forsitan ratione praemissorum aut eorum alicujus incurristi, aut aliquibus incurrisse videaris, ad omnem et qualemcunque juris effectum liberamus, ac tenore praesentium pro liberato haberi decernimus et pronunciamus: quemque defectum, labem, notam, sive maculam, si quam forsitan ratione praemissorum aut eorum alicujus contraxisti, aut aliquibus contraxisse videaris, penitus abolemus, ac pro abolitis haberi discernimus et pronunciamus; teque etiam praefatum Georgium, archiepiscopum Cantuariensem, ex superabundanti et ad maiorem cautelam rehabilitamus et restituimus ad omnem et qualemcunque juris effectum. Et ut in susceptis ordinibus et archiepiscopatu praedicto, ac in omnibus et singulis iurisdictionibus, privilegiis, praeminentiis, praerogativis, dignitatibus, atque aliis rebus quibuscunque, aliquo modo ad dictum archiepiscopatum spectantibus et pertinentibus, libere ministrare valeas, concedimus et indulgemus, perinde ac si praedictum casuale homicidium commissum non fuisset; canonibus, legibus, decretis, ordinationibus, et constitutionibus ecclesiasticis quibuscunque contrariis, si quae sint in ea parte contraria, in aliquo non obstantibus. In cujus rei testimonium sigilla nostra episcopalia hisce praesentibus apponi fecimus. Dat. duodecimo die Decembris, anno Domini millesimo sexcentesimo vicesimo primo.

Teste rege apud Westmon. 24. die Decembris, anno regni regis Jacobi. etc. XIX. et Scotiae quinquagesimo quinto.

Archiepisc. Cant.
GEO. ABBOT II.

Anno Christi
1621.

Reg. Angliae
JACOB. I. 19.

The king's letter to the archbishop of Cant. and the bishop of Lincoln about a voluntary contribution from the clergy. Reg. Abbot II. fol. 195. b.

RIGHT reverend father in God, our very good lord and brother. We have lately received from his majesty certain letters directed unto us the lord archbishop of Cant. and the lord bishop of Lincoln, lord keeper of the great seal, but referring to the rest, whose names are underwritten, the tenor whereof here ensueth: Right reverend fathers in God, right trusty and right well beloved counsellors, we greet you well. What endeavours we have used by treaty, and by all fair and amicable ways, to recover the patrimony of our children in Germany, now for the most part withholden from them by force, is not unknown unto all our loving subjects, since we were pleased to communicate unto them in parliament our whole proceedings in that business; of which treaty our hopes being at the last frustrate, we were enforced to take other resolutions, namely to recover that by the sword, which by other means we see no likelihood to compass. For which purpose we did expect, that our people would in a cause so nearly concerning our childrens interest and ours, have chearfully contributed thereunto, as indeed they did by promise and declaration to the proportion of one subsidy at their last meeting before Christmas; but the same failing to be legally perfected by the wayward divisions of some few, we are constrained in a case of so great necessity to try the dutiful affections of our subjects in another way, as our predecessors have done in former times, by propounding a voluntary contribution unto them; and knowing the faithful and loving service performed unto us by our clergy of this realm at all times upon the like urgent occasion, have thought good to make use thereof at this present, and do therefore require you to give notice thereof to all the bishops, who are not as yet departed from the city of London; and together with them, to write your letters to all the bishops of both provinces, for the speedy collecting, and receiving of the voluntary contributions of the whole clergy, towards the support of this so necessary and justifiable a warlike defence, wherein not only our crown and dignity, but the true religion also, which you and they teach and profess, is so much interested. And we do farther require, that you and the other bishops do likewise move the same to all the schoolmasters, which have licence to teach within your or their several dioceses, not doubting of either your care, or their forwardness in this so necessary a service. Given under our signet at our palace of Westm. the 14th day of January, in the nineteenth year of our reign of England, France and Ireland, and of Scotland the five and fiftieth.

Your lordship by these letters may see how far it concerneth his majesty in honour, and the realm in safety, that the patrimony of the king's

children should be recovered again by force of war, since it cannot be obtained by treaty. And inasmuch as arms are not maintained but by large expence, and his majesty hath not lately received such supply as otherways was expected, it may well stand with our most bounden duty, that in this time of necessity, we of the clergy should by way of voluntary contribution testify our observance and loyal respect unto so gracious a prince. We therefore, who upon the receipt of these his majesty's letters have met together and duly considered, what was most convenient to be done, have resolved, that three shillings and ten pence in the pound is as little as we can possibly offer towards so great an enterprise; yet hoping that such as be of ability will exceed the same. You shall therefore do well by all forcible reason, drawn from the defence of religion and justice, to incite all your clergy, as well within peculiars as otherwise, as also all the lecturers and licensed schoolmasters, within your diocese, that with all readiness they do contribute unto this noble action. And whereas there be divers commendatories, dignitaries, prebendaries, and double beneficed men, that have livings in several dioceses, we hold it fit, that for every one of these within your lordship's diocese the contribution be rateable, so that the monies in such sort given, may be brought to London by the tenth day of March next, to be delivered to the hands of such receivers, as for that purpose shall be appointed. And to the end that true notice may be taken of such as are best disposed to this so good a service, we expect that your lordship send up to the lord archbishop of Cant. the several sums and names of all those, who contribute; and lastly your lordship shall do right well also, that inasmuch as the laity are like to be moved for such contribution in the country, wherein many about London already have begun and given good example, that you cause the preachers within your diocese in a grave and discreet fashion to excite the people, that when occasion shall serve, they do extend their liberalities to so christian and worthy an enterprise; wherein not doubting but your lordship will use all your best, prudent, and most careful endeavours, we leave you to the almighty. From Lambeth 21. Januarii, M.DC.XXI. juxta etc.

Your lordship's very loving brethren,

G. Cant.	Arthur Bath. et
Jo. Lincoln, C. S.	Wellen.
G. London.	Lu. Bangor.
R. Dunelm.	Nic. Elien.
L. Winton.	Theo. Landaven.
Jo. Wigorn.	Will. Meneven.
Jo. Rossen.	Jo. Cestren.
Tho. Coven. et Lich.	

The

The king's letter to the archb. concerning PREACHERS, etc. 465

Archiepisc. Cant.
GEO. ABBOT 12.

Anno Christi
1622.

Reg. Angliae
JACOB. I. 20.

The king's letter to the archbishop of Canterbury concerning preachers and preaching.
Reg. II. Abbot fol. 199. a.

RIGHT reverend father in God, my very good lord and brother. I have received from the king's most excellent majesty a letter, the tenor whereof here ensueth: Most reverend father in God, right trusty and right intirely beloved counsellor, we greet you well. Forasmuch as the abuses and extravagancies of preachers in the pulpit have been in all times repressed in this realm by some act of council or state, with the advice and resolution of grave and learned prelates, insomuch as the very licensing of preachers had the beginning by an order of Starchamber the eighth day of July, in the nineteenth year of king Henry the eighth, our noble predecessor; and whereas at this present, divers young students by reading of late writers and ungrounded divines, do broach many times unprofitable, unsound, seditious, and dangerous doctrines, to the scandal of this church, and disquieting of the state and present government; we upon humble representations unto us of these inconveniencies by yourself, and sundry other grave and reverend prelates of this church, as also of our princely care and zeal for the extirpation of schism and discension growing from these seeds, and for the settling of a religious and peaceable government both of church and state, do by these our special letters streightly charge and command you, to use all possible care and diligence, that these limitations and cautions, herewith sent unto you, concerning preachers, be duely and strictly from henceforth observed, and put in practice by the severall bishops in their severall dioceses within your jurisdiction. And to this end, our pleasure is, that you send them forthwith severall copies of those directions, to be by them speedily sent and communicated to every parson, vicar, curate, lecturer, and minister in every cathedral or parish church, within their severall dioceses; and that you earnestly require them to imploy their utmost endeavours in the performance of this so important a business; letting them know, that we have a special eye to their proceeding, and expect a strict account thereof both from you and every of them; and these our letters shall be your sufficient warrant and discharge in this behalf. Given under our signet at our castle at Windsor the 4th day of August, in the twentieth year of our reign of England, France, and Ireland, and of Scotland the six and fiftieth.

By this you see his majesty's princely care, that men should preach Christ crucified, obedience to the higher powers, and honest and christian conversation of life, but in a regular form; and not that every young man should take unto himself an exorbitant liberty to teach, what he listeth, to the offence of his majesty, and to the disturbance and disquiet of the church, and

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common wealth. I can give unto your lordship no better directions for the pursuance hereof, than are prescribed to you in his majesty's letters, and the schedule herewith sent unto you; whereof I pray you to be very careful, since it is the princely pleasure of his highness to require an account both of you and me for the same. And so not doubting, but by your register or otherwise you will cause these instructions to be communicated to your clergy; I leave you to the Almighty, and remain

Your lordships loving brother,

Croydon, August the
12th, M.D.C.XXII.

G. CANT.

Directions concerning preachers.

I. That no preacher under the degree and calling of a bishop, or dean of a cathedral or collegiate church, and they upon the king's days and set festivals, do take occasion by the expounding of any text of scripture whatsoever, to fall into any set discourse, or common place (otherwise than by opening the coherence and division of his text) which shall not be comprehended and warranted in essence, substance, effect, or natural inference within some one of the articles of religion set forth M.D.LXII. or in some of the homilies set forth by authority in the church of England, not only for a help of the nonpreaching, but withall for a pattern and a boundary, as it were, for the preaching ministers; and for their further instruction for the performance thereof, that they forthwith read over, and peruse diligently the said book of articles, and the two books of homilies.

II. That no parson, vicar, curate, or lecturer shall preach any sermon or collation hereafter upon Sundays and holidays in the afternoon, in any cathedral, or parish church throughout this kingdom, but upon some part of the catechism, or some text taken out of the Creed, Ten Commandments, or the Lord's Prayer (funeral sermons only excepted) and that those preachers be most encouraged and approved of, who spend the afternoon's exercise in the examining of children in their catechism, and in the expounding of the severall points and heads of the catechism, which is the most ancient and laudable custom of teaching in the church of England.

III. That no preacher of what title soever, under the degree of a bishop, or dean at the least, do from henceforth presume to preach in any popular auditory the deep points of predestination, election, reprobation, or of the universality, efficacy, resistibility, or irresistibility of God's grace; but leave those themes to be handled by learned men, and that moderate-

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ly and modestly by way of use and application, rather than by way of positive doctrine, as being fitter for the schools and universities, than for simple auditories.

IV. That no preacher of what title or denomination soever, shall presume from henceforth in any auditory within this kingdom to declare, limit, or bound out, by way of positive doctrine, in any lecture or sermon, the power, prerogative, jurisdiction, authority, or duty of sovereign princes, or otherwise meddle with these matters of state, and the references betwixt princes and the people, than as they are instructed and presided in the homily of obedience, and in the rest of the homilies and articles of religion, set forth (as before is mentioned) by public authority; but rather confine themselves wholly to those two heads of faith and good life, which are all the subject of the ancient sermons and homilies.

V. That no preacher of what title or denomination soever, shall causelessly, and without invitation from the text, fall into bitter invectives, and indecent railing speeches against the persons of either Papists or Puritans; but modestly and gravely (when they are occasioned thereunto by the text of scripture) free both the doctrine

and discipline of the church of England from the aspersions of either adversary, especially when the auditory is suspected to be tainted with the one or the other infection.

VI. Lastly, That the archbishops and bishops of the kingdom, whom his majesty hath good cause to blame for this former remissness, be more wary and choice in licensing of preachers, and revoke all grants made to any chancellor, official, or commissary to pass licences in this kingdom; and that all the lecturers throughout the kingdom (a new body severed from the ancient clergy of England, as being neither parsons, vicars, or curates) be licensed henceforth in the court of Faculties, only upon recommendation of the party from the bishop of the diocese under his hand and seal, with a "fiat" from the lord archbishop of Cant. and a confirmation under the great seal of England; and that such as transgress any one of these directions, be suspended by the bishop of the diocese, or in his default, by the lord archbishop of that province "ab officio et beneficio" for a year and a day, until his majesty by the advice of the next convocation shall prescribe some further punishment.

Archiepisc. Cant.
GEO. ABBOT 12.

Anno Christi
1622.

Reg. Angliae
JACOB. I. 20.

The archbishop of Canterbury's letter explaining the former directions.

Reg. II. Abbot fol. 200. a.

My very good lord. I doubt not but before this time you have received from me the directions of his most excellent majesty, concerning preaching and preachers; which are so graciously set down, that no godly or discreet man can otherwise than acknowledge, that they do much tend to edification, if he do not take them up upon report, but do punctually consider the tenor of the words, as they lie, and do not give an ill construction to that, which may receive a fair interpretation; notwithstanding, because some few churchmen, and many of the people have sinisterly conceived, as we here find, that these instructions do tend to the restraint of the exercise of preaching, and do in some sort abate the number of sermons, and so consequently by degrees do make a breach to ignorance and superstition; his majesty in his princely wisdom hath thought fit, that I should advertise your lordship of the grave and weighty reasons, which induced his highness to prescribe that which is done. You are therefore to know, that his majesty, being much troubled and grieved at the heart, to hear every day of so much defection from our religion, both to popery and anabaptism, or other points of separation, in some parts of this kingdom; and considering with much admiration what might be the cause thereof, especially in the reign of such a king, who doth so constantly profess himself an open adversary to the superstition of the one, and madness of the other; his princely wisdom could fall upon no one greater probability, than

the lightness, affectedness, and unprofitableness of that kind of preaching which hath been of late years too much taken up in court, university, city, and country. The usual scope of very many preachers is noted to be a soaring up in points of divinity, too deep for the capacity of the people, or a mustering up of much reading, or a displaying of their own wit, or an ignorant meddling with civil matters, as well in the private of several parishes and corporations, as in the public of the kingdom, or a venting of their own distastes, or a smoothing up of those idle fancies, which in this blessed time of a long peace do boil in the brains of unadvised people; or lastly, a rude or indecent railing, not against the doctrines (which when the text shall occasion the same, is not only approved but much commended by his royal majesty) but against the persons of Papists and Puritans. Now the people bred up with this kind of teaching, and never instructed in the catechism, and fundamental grounds of religion, are for all this airy nourishment no better than "abrafae tabulae" new table books, ready to be filled up with the manuals and catechisms of the popish priests, or the papers and pamphlets of Anabaptists, Brownists, and Puritans. His majesty therefore calling to mind the saying of Tertullian, "Id verum quod primum," and remembering with what doctrine the church of England in the first and most happy reformation did drive out the one, and keep out the other from poisoning and infecting the people of

of this kingdom, doth find that the whole scope of this doctrine is contained in the articles of religion, the two books of homilies, the lesser and the greater catechism, which his majesty doth therefore recommend again in these directions, as the themes and proper subjects of all sound and edifying preaching; and so far are these directions from abating, that his majesty doth expect at our hands that it should increase the number of sermons, by renewing upon every Sunday in the afternoon, in all parish churches throughout the kingdom, that primitive and most profitable exposition of the catechism, wherewith the people, yea very children may be timely seasoned and instructed in all the heads of christian religion, the which kind of preaching (to our amendment be it spoken) is more diligently observed in all the reformed churches of Europe, than of late it hath been here in England. I find his majesty much moved with this neglect, and resolved (if we that are his bishops, do not see a reformation thereof, which I trust we shall) to recommend it to the care of the civil magistrate; so far is his highness from giving the least discouragement to solid preaching, or discreet or religious preachers. To all these I am to add his majesty's princely pleasure that both the former

directions and these reasons of the same be fairly written in every register's office, to the end that every preacher, of what denomination soever, may, if he be so pleased, take out copies of either of them with his own hand "gratis," paying nothing in the name of fee or expedition; but if he do use the pains of the register or his clerks, then to pay some moderate fee to be pronounced in open court by the chancellors and commissioners of the place, taking the direction and approbation of my lords the bishops. Lastly, that from henceforward a course may be taken that every parson, vicar, curate, or lecturer do make exhibit of these his majesty's directions and the reason for the same, at the ensuing visitation of the bishops and archdeacons, paying to the register by way of fee but two pence only at the time of exhibit. And so wishing, but withal in his majesty's name requiring your lordship to have a special and extraordinary care of the premises, I leave you to the Almighty. From Croydon, September 4. M.DC.XXII.

Your lordship's very loving brother,

G. CANT.

Archiepisc. Cant.
GEO. ABBOT 13.

Anno Christi
1623.

Reg. Angliae
JACOB. I. 21.

Convocatio praelatorum et cleri provinciae Cantuar. Ex MS. Smith apud Tho. episc. Aflaven.

CONVOCATIO praelatorum et cleri provinciae Cantuar. per breve regium ad diem 13. Februarii summonita fuit, in cujus sessione 4. Martii die decimo "A complaint was brought in by the college of physicians against ministers exercising physic. The archbishop declares before both houses, that ministers should be in-

hibited to practice physic, but in their own parishes only for charity." Post haec "The archbishop complains of the irregular habits of clerks, exhorting amendment." Deinde per varias continuationes convocationis quatuor subsidia domino regi concedebantur, et convocatio continuabatur.

Concilium provinciale Eboracense.

CONCILIIUM hoc apud Ebor. per breve regium dat. 30. die Decembris, convocatur ad comparandum 13. die Februarii, anno regni XXI. Deinde per aliud in 17. et rursus per aliud in 20. Februarii, et postea in 16. diem Martii per aliud breve prorogatur.

Die nono mensis Martii Henricus Cooke, S. T. P. unus commissionariorum archiepiscopi Ebor. postquam literae commissionales reverendissimi patris publice lectae fuissent, schedulam quandam privilegia membrorum synodi vindicantem, ad eximendum Thomam Mallory, decanum Cestrensem, a litibus forensibus eo tempore adversus illum motis, in praesentia cleri provinciae Ebor. legit; quae hujus est tenoris:

To all true christian people, to whom these presents shall come, greeting in our Lord God everlasting. Whereas the prelates and clergy within the province of York were lately summoned by virtue of his majesty's writ to appear at the convocation holden in the chapterhouse

within the cathedral and metropolitical church of St. Peter in York aforesaid upon the 13th day of February last past; and because in former times the prelates and clergy aforesaid, so called to the convocation, and their servants and families that came with them, were oftentimes arrested, molested, or disquieted; it was graciously provided for the security and quietness of the said clergy by act of parliament in the eighth year of king Henry the sixth, cap. I. that the clergy at any time after to be called to convocation by the king's writ, and their servants and families shall for ever hereafter fully use and enjoy such liberty or defence in coming, tarrying, and returning, as the great men and commons of the realm have, or are wont or ought to enjoy, which are called to the parliament; as by the said statute doth and may appear; and lastly whereas we are credibly informed that Mr. Thomas Mallory clerk, dean of the cathedral church of Chester, is at this instant much

much molested by divers persons, or some one at the least, with troublesome suits of law, so that he is thereby hindered from attending his majesty's service at the convocation now at York depending; these are therefore to certify all and every one, whom these presents may any way concern, upon the earnest petition, and supplication of the said Thomas Mallory, dean of Chester aforesaid, that upon search and view of the records of the convocation now depending for the province of York aforesaid, we find that the said Thomas Mallory did appear at the convocation aforesaid upon the 13th day of February last past by his lawful proctor, and was and is a member of the said convocation, presuming that upon notice thereof, no person or persons whatsoever will attempt to sue or mo-

lest him the said Thomas Mallory, during the dependance of the said convocation; and herewithall intimating, that if any, notwithstanding the premisses, should molest, trouble, or implead him the said Thomas Mallory, upon just complaint thereof by him unto the convocation aforesaid, he or they so attempting shall be convened before the authority of the convocation aforesaid, to undergo condign punishment for their high attempt in going about to infringe the liberties and immunities so graciously granted unto the clergy aforesaid, and thereby hindering his majesty's present service. In witness whereof we have hereunto set our hands and archiepiscopal seal at the manor of Bishopsthorp the 21st day of March, M.DC.XXIII.

Archiepisc. Cant.
GEO. ABBOT 13.

Anno Christi
1623.

Reg. Angliae
JACOB. I. 21.

An act to prevent and reform profane swearing and cursing. 21 Jac. I. c. 20.

FORASMUCH as all profane swearing and cursing is forbidden by the word of God; be it therefore enacted by the authority of this present parliament, that no person or persons shall from henceforth profanely swear and curse. And that if any person or persons shall at any time or times hereafter offend herein, either in the hearing of any justice of peace of the county, or of any mayor, justice of peace, bailiff, or head officer of any city or town corporate, where such offence is or shall be committed, or shall thereof be convicted by the oaths of two witnesses, or by confession of the party, before any such justice of peace of the county, or head officer, or justice of the peace in the city or town corporate, where such offence is or shall be committed, to which end, every justice of peace, and every such head officer shall have power by this act to minister the same oath, that then every such offender shall for every time so offending, forfeit and pay to the use of the poor of that parish, where the same offence is or shall be committed, the sum of twelve pence. And it shall also be lawful for the constable, churchwardens, and overseers of the poor of that parish, by warrant from such justices of the peace, or head officer, to levy the same sum and sums of money, by distress and sale of the offender's goods, rendering to the party the overplus. And in defect of such distress, the offender, if he

or she be above the age of 12. years, shall by warrant from such justice of the peace, or head officer be set in the stocks by three whole hours; but if the offender be under the age of 12. years, and shall not forthwith pay the said sum of 12. pence, then he or she by warrant of such justice of peace, or head officer shall be whipped by the constable, or by the parent or master in his presence.

II. And be it further enacted, that if any such offender shall commence any suit in law against any officer or other, for such distraining, sale of goods, whipping, or setting in the stocks, the defendant or defendants may plead the general issue, and give the special matter in evidence to the jury at the trial; and if it be found against the plaintiff, or that the plaintiff be nonsuit, the defendant or defendants shall be allowed good costs, to be taxed by the court.

III. Provided nevertheless, that every offence against this law, shall be complained of, and proved, as aforesaid, within 20 days after the offence committed.

And it is also enacted, that this act shall be read in every parish church by the minister thereof upon the Sunday after evening prayer, twice in the year.

IV. Provided, That this act shall continue until the end of the first session of the next parliament, and no longer.

Archiepisc. Cant.
GEO. ABBOT 14.

Anno Christi
1624.

Reg. Angliae.
JACOB. I. 22.

Convocatio praelatorum et cleri provinciae Cantuar. et Ebor. Ex MS. Mil. Smith apud Tho. episc. Assaven. Et ex reg. Ebor.

CONVOCATIO praelatorum et cleri provinciae Cantuar. ad 28. mensis Maii continuata, nihil ad dissolutionem usque per mortem regis Jacobi primi egit, praeterquam quod epistolam scripserit "to the bishop of Lincoln lord keeper, to supersede a subpoena served

upon Mr. Murrel, archdeacon of Norfolk, by reason of his privilege of convocation; which was superseded accordingly." Tria deinde brevvia regia convocationem ad 16. mensis Martii prorogaverunt, quam mors regis dissolvit Martii 27. sequi.

IN

CONVOCATIO PRAELATORUM PROV. CANT. ET EBOR. 469

IN synodo provinciali Ebor. post diversas continuationes die Jovis, 13. die mensis Maii quatuor subsidia domino regi concedebantur; deinde per breviam regia, quorum unum dat. 31. die Maii, synodus in 3. diem Novembris, et per aliud dat. 3. Novembris ab eo die in 17.

Februarii, et rursus per aliud dat. 16. Martii, usque ad 21. Aprilis prox. M.DC.XXV. prorogabatur. Ea autem ob mortem regis Jacobi I. qui 27. die mensis Martii, vitam cum morte commutavit, nunquam fuit habita.

Archiepisc. Cant.
GEO. ABBOT 14.

Anno Christi
1624.

Reg. Angliae
JACOB. I. 22.

Negotium consensu domini prolocutoris, caeterorumque decanorum, archidiaconorum, et procuratorum cleri provinciae Cant. in ecclesia B. Petri Westmonast. 28. die mensis Maii, A. D. M.DC.XXIV. de libris theolog. examinandis.*
Ex MS. penes rev. episc. Assaven.

QUIBUS die et loco Johannes Young, S. theol. professor, decanus Winton. prolocutor antedictus, iterato proposuit dictum negotium de libris ei saepius antehac in dicta convocatione agitatum. Et censebat quosdam eruditos et spectatae industriae viros in utraque academia eligendos ex consensu hujus convocationis, tam scilicet reverendissimi in Christo patris domini archiepiscopi Cant. hujus convocationis praesidentis dignissimi, caeterorumque dominorum episcoporum, quam decanorum, archidiaconorum, et procuratorum cleri nominandos: qui operas inter se partiti, provinciam suscipiant MSS. libros et diversas editiones patrum, conciliorum, et aliorum scriptorum ecclesiasticorum Graecos et Latinos in ipsis academiis et aliis bibliothecis publicis et privatis perscrutandi, inspiciendi, evolvendi, conferendi, et, si opus fuerit, transcribendi, variasque lectiones colligendi; et insuper ad pontificiorum fraudes aperiendas, indices eorum expurgatorios in dictos auctores cum dictis MSS. et optimis exemplaribus scriptis vel excusis examinandi, ut ex iis index quidam vindicatorius verae lectionis restitutae concinnari possit. Praeterea dictus prolocutor professus est, se de hac propositione

ad serenissimum regem Jacobum retulisse, qui pro suo in fidem orthodoxam zelo regiam suam approbationem et favorem tam pio operi promovendo abunde et religiose polliceri dignatus esset. Unde caeteri omnes decani, archidiaconi, etc. dictae propositioni viritum suffragati sunt, prout a domino prolocutore prius recitata est. Postea praevia deliberatione et assensu omnium adhibitis, dictus prolocutor decanos et procuratores ecclesiarum cathedralium, caeterosque omnes in synodo praesentes impense rogavit, ut scrupulis ecclesiarum suarum scriniis et bibliothecis, aliisque viis et modis, quibus commode possint, adhibitis, catalogum MSS. et optimorum exemplarium contexerent, eundemque huic synodo, quamprimum, Deo favente, denuo convocari contingerit, exhiberent in futuri operis apparatus. Itidem consensum est, ut literae ad reverendiss. in Christo patrem dominum archiepiscopum Eboracensem, dominosque episcopos ejus comprovinciales synodi nomine conscriberentur, quatenus idem negotium in sua metropolitana et cathedralibus ecclesiis procurare dignarentur; et ut haec omnia et singula in acta synodi referrentur.

Archiepisc. Cant.
GEO. ABBOT 15.

Anno Christi
1625.

Reg. Angliae
CAROL. I. I.

Convocatio praelatorum et cleri provinciae Cantuar. Ex MS. Mil. Smith apud episc. Assaven.

CONVOCATIO praelatorum et cleri provinciae Cantuar. per breve regium ad diem 18. Maii in ecclesia S. Pauli London. summonita, post varias prorogationes per breve regium 20. Junii die congregabatur, et in sexta sessione die duodecimo Julii, virtute brevis regii et mandati archiepiscopi prorogabatur ad aedem Christi Oxon. secundo die Augusti celebrandam. Quo die archiepiscopus continuabat convocationem ad diem quintum ejusdem mensis ad ca-

pellam collegii Mertonensis. Illo die ad 12. diem ejusdem mensis in eundem locum continuabatur: quo die ad crastinum, videlicet 13. diem Augusti, continuata, dissolvebatur.

Alia hujus anni convocatio die septimo mensis Februarii in ecclesia B. Petri Westm. congregata nihil scitu dignum nobis reliquit, praeterquam quod D. Donne prolocutor electus fuerit et confirmatus ibidem: ea per varias continuationes prorogata fuit.

* Guil. Bedellus (postea episcopus Kilmecrensis in Hibernia) et magister Dalby negotium hujus consensu in scripta redegerunt.

Archiepisc. Cant.
GEO. ABBOT. 15.

Anno Christi
1625.

Reg. Angliae
CAROL. I. I.

The king's letter to the archbishop of Canterbury touching recusants. Reg. II. Abbot fol. 211. a.

RIGHT reverend father in God, my very good lord. I have received from the king's majesty a letter, the tenor whereof here followeth: Most reverend father in God, right trusty and well beloved counsellor, we greet you well. Whereas upon sundry weighty considerations us specially moving, we lately awarded our commission under our great seal of England, for the due and effectual putting in execution of the several laws and statutes remaining in force against popish recusants, and did cause our said commission to be publickly read in our several courts holden the last term at Reading, that all our loving subjects might take notice of our princely care, and special charge for the advancement of true religion, and suppressing of superstition and popery; we have now thought fit, out of the same care to add a farther charge to you, and all others having ecclesiastical jurisdiction under us, that no good means be neglected on your part for discovering, finding out, and apprehending of Jesuits, seminary priests, and other seducers of our children to the Romish religion, or for repressing popish recusants and delinquents of that sort, against whom you are to proceed by excommunication and other censures of the church, not omitting any other due and lawful means to bring them forth to public justice. And as our pleasure is, that due and strict proceeding be used against such as are open and profest papists, of whom our temporal laws will more easily take hold; so we do recommend to the vigilant care of you and the rest of our clergy the repressing of those, who being ill affected to the true religion here established, do keep more close and secret their ill and dangerous affections that way, and as well by their example, as by secret and underhand sleights and means, do much encourage and increase the growth of popery and superstition in sundry parts of this kingdom: and therefore we not only require, that none of them may have any manner of cover, protection, countenance, or connivance from you, or any of the rest, as you tender our royal commandment in that behalf; but that all possible dili-

gence be used as well to unmask the false shadows and pretences of those that are obstinate, as by all good means to reclaim those, who may possibly be won to conformity: letting all men know, that we cannot think well of any, that having place and authority in the church, do permit such persons to pass with impunity, much less if they give any countenance to the emboldening of them and their adherents. And because we understand, that the number of recusants is much more increased in some dioceses, than in others, we shall impute the same to the negligence of those bishops, who have the same means and power of restraint, unless they can shew us some particular reason, by which that contagion is become greater under them, than others, and not by their defaults: and we do hereby require you to send transcripts of these our letters to all the bishops and ordinaries within your province, for the present execution of this our general direction, and also to transmit the same our letters to the lord archbishop of York, that he may take the like course within his charge and jurisdiction. Given under our signet at our castle of Windsor the 15th day of December, in the first year of our reign.

By this you see the royal and christian care which his majesty hath for the advancing of true religion within this kingdom, and the suppressing of the contrary. I doubt not but your lordship will take into serious consideration, and by your officers and ministers give execution thereunto, so that presentments be duly made, and excommunications against the obstinate be issued forth, as some few years past was accustomed; and his majesty doth expect, that, to shew your diligence and zeal herein, your lordship will soon after Easter return unto me the list and number of all recusant papists, within your diocese, which without fail I do expect. And so I leave you to the Almighty, and remain

Your lordship's loving brother,

G. CANT.

Concilium provinciale Eboracense.

VIRTUTE brevis regii concilium hoc inchoatum fuit 18. die mensis Maii; inde per brevia regia prorogabatur ad dies 1, 16, et 20. Junii. Aliud convocatum fuit auctoritate brevis regii 7. die Februarii; hoc ad diem 1. Martii, et ab eo ad 22. ejusdem mensis continuabatur. Hoc die Johannes Scott, S. T. P. praefidens pro hac vice in convocatione five synodo praedicta, de consensu collegarum suorum in hac

parte hujusmodi quaestionem per totam synodum five convocationem tunc et ibidem congregatam, publice discutiendam et ventilandam proposuit; viz. "An quispiam per viam deputationis procuratorii vel alias alicui personae ecclesiasticae vices suas committere, plenamque potestatem concedere possit aut valeat, ad comparandum pro se in convocatione five synodo praedicta, reliquaque in ea parte necessaria expediend.

pediend: quae tempore deputationis five procuratorii praedicti, sic ut praemittitur, facti, non fuit pars nata convocationis five synodi praedictae vel alias pro parte five membro ejusdem legitime electa; ita quod persona sic deputata five constituta pro parte five membro convocationis five synodi praedictae haberi debeat, vel non?" Qua controversia sic proposita multis dubiis prius pensatis, ac diligenti et matura deliberatione praehabita; dictus venerabilis vir Johannes Scott, S. T. P. praefidens antedictus, de et cum consensu collegarum suorum in hac parte, ac reliquorum omnium in dicta convocatione five synodo interessentium, ac suffragia in ea parte habentium, nemine reclamante five dissentiente, declaratione futuris temporibus perpetuo valitura censuit, prout sequitur; neminem scilicet auctoritatem five potestatem habere nominandi, eligendi, five constituendi aliquam personam extraneam, deputatum, commissarium five procuratorem suum, ad compa-

rendum pro se in convocatione five synodo praedicta, reliquaque in ea parte necessaria expedienda, quae tempore deputationis, commissionis, five procuratorii sui praedicti sibi in ea parte, sic ut praemittitur, facti, non fuerit pars nata convocationis five synodi praedictae, vel alias pro parte five membro ejusdem legitime electa; nullamque personam extraneam, sic ut praemittitur, utcunque nominatam, electam, five constitutam, pro parte five membro convocationis five synodi praedictae acceptari, aut jus suffragii decisivi in eadem aut aliquo negotio eandem tangente habere.

Hoc facto supra memoratus Johannes Scott prorogavit convocationem usque ad diem Mercurii 26. diem Aprilis, A. D. M.DC.XXVI. post duas autem prorogationes die Mercurii, sc. 28. die mensis Junii, A. D. M.DC.XXVI. virtute brevis regii dicta convocatio per Henricum Wickham de consensu collegarum suorum dissoluta est.

Archiepisc. Cant.
GEO. ABBOT 16.

Anno Christi
1626.

Reg. Anglie
CAROL. I. 2.

Convocatio praelatorum et cleri provinciae Cantuar. Ex MS. Mil. Smith.

IN decima octava sessione convocationis praelatorum et cleri provinciae Cantuar. quae 16. die Junii contigit, episcopus Sarum virtute bre-

vis regii et commissionis archiepiscopi convocationem dissolvit.

Bulla papae Urbani VIII. contra sacramentum fidelitatis. Ex Foulis Romish Treasons l. X. c. 3.

Urbanus, papa octavus, dilectis filiis catholicis Angliae.

DILECTI filii, salutem et apostolicam benedictionem. Non semper terrena felicitas est beneficium caeli et patrimonium pietatis, pacem enim peccatorum videns ecclesia non raro experta est potentium mortalium esse stipendium sceleris. Quare * eatenus martyrum anteferimus exuviis triumphantium; et rex sempiternus principatus caelestes pollicetur non eis, qui superbo pede jura proterunt, sed qui perfectionem patiuntur propter justitiam, etc.

Quodsi eousque vis progrediatur, ut vos ad noxium illud et illicitum Anglicanae fidelitatis juramentum adigat; mementote orationem vestram ab universo angelorum spectantium confessu audiri, et adhaereat lingua vestra faucibus vestris priusquam auctoritatem beati Petri, ea

jurisjurandi formula imminutam detis. Non enim ibi id solum agitur, ut fides regi conservetur, sed ut sacrum universae ecclesiae sceptrum eripiatur vicariis Dei omnipotentis.

Quod felicitis recordationis Paulus quintus, praedecessor noster in tam gravi deliberatione decrevit, id omnino tanquam decretum veritatis servare debeatis, dilecti filii; tributum hoc principi apostolorum debitum nullae hominum minae, aut blanditiae a vobis unquam extorqueant; qui secus suadent, ii visionem mendacem et divinationem fraudulentam prophetant vobis. Citius enim viro christiano debet potentium gladius vitam eripere, quam fidem. Quodsi angelus etiam a caelo descendens vos aliter quam veritas apostolica doceat, anathema sit, etc. Datum Romae sancti Petri sub annulo piscatoris die 30. Maii, M.DC.XXVI. pontificatus nostri anno tertio.

The king's letter to the archbishop of Canterbury to excite the people to unity, and to contribute towards the support of the king of Denmark. Reg. II. Abbot fol. 218. a.

My very good lord. I have received from the king's majesty both pious and prudent instructions necessary for this time, the particulars whereof do here follow: Most reverend father in God, right trusty and right

well beloved counsellor, we greet you well. We have observed that the church and the state are so near united and knit together, that tho' they may seem two bodies, yet indeed in some relation they may be accounted but as one; in-

* F. coronas.

asmuch

asmuch as they both are made up of the same men, which are differenced only in relation to spiritual or civil ends; this nearness makes the church call in the help of the state to succour and support her, whensoever she is pressed beyond herself; and the same nearness makes the state call in for the service of the church, both to teach that duty, which her members know not, and to exhort them to it, and encourage them in that duty, which they know. It is not long since we ordered the state to serve the church, and by a timely proclamation settled the peace of it; and now the state looks for the like assistance from the church, that she and all her ministers may serve God and us, by preaching peace and unity at home, that it may be the better able to resist foreign force, uniting and multiplying against it. And to the end that they, to whom we have committed the government of the church under us, may be the better able to dispose of the present occasions, we have, with the advice of the council, thought fit to send unto you these instructions following, to be sent by you to the bishops of your province, and such others, whom it may concern, and by them and their officers directed to all the ministers throughout the several dioceses, that according to these punctually they may instruct and exhort the people to serve God and us, and labour by their prayers to divert the dangers which hang over us. The danger in which we are at this time is great; it is increased by the late blow given our good uncle the king of Denmark, who is the chief person in those parts that opposed the spreading forces of Spain; if he cannot subsist, there is little or nothing left to hinder the house of Austria from being lord and master of Germany, and that is a large and mighty territory, as should it be gotten would make an open way for Spain to do what they please in all the west parts of Christendom. For besides the great strength which Germany once possessed, would bring to them, which are too strong already, you are to consider first, how it will enable them by land, in that it will join all, or the most parts of the Spaniard's now distracted territories, and be a means for him safely and speedily to draw down forces against any other kingdom, that shall stand in his way; nor can it be thought the Low Countries can hold out longer against him, if he once become lord of the upper parts. And secondly, you are to weigh how it will advantage him by sea, and make him strong against us in our particular, which is of easy apprehension to all men: and besides, if he once get Germany, he will be able, though he had no gold from India, to supply the necessity of those wars, and to hinder all trade and traffic of the greatest staple commodities of this kingdom, cloth and wool, and so make them of little or no value. You are to know therefore, that to prevent this is the present care of the king and the state, and there is no probable way left, but by sending forces and other supplies to the said king of Denmark our dear uncle, to enable him to keep the field, that

our enemies be not masters of all on the sudden. You are further to take notice, how that we and this whole state stand bound in honour and conscience to supply the present necessity of the king of Denmark; for this quarrel is more nearly ours, the recovery of the ancient inheritance of our dear sister and her children. The king of Denmark stands not so near in blood unto her as we do, yet for her and our sakes that brave and valiant king hath adventured into the field, and in that engagement hath not only hazarded his person, but as things go now, it may turn to some danger to his own kingdom and posterity, should he not receive aid and succour from us without delay; which should it happen, as God forbid, will be one of the greatest dishonours, that ever this kingdom was stained withal. Nor is danger and dishonour all the mischief that is like to follow this disaster; for if he be not presently relieved, the cause of religion is not only likely to suffer by it in some one part, as it hath already in a fearful manner in the Palatinate, but in all places, where it hath gotten any footing; so that if we supply not presently our allies and confederates in this case, it is likely to prove the extirpation of true religion, and the replanting of Romish superstition in all the neighbouring parts of Christendom; and the colonies of this state shall suffer in all places as the betrayer of that religion elsewhere, which it professeth and honoureth at home; which will be an imputation never to be washed off; and God forbid this state should suffer under it. Neither may you forget rightly to inform the people committed to your charge, that this war which now grows full of danger, was not entred upon rashly and without advice, but you are to acquaint them, that all former treaties by a peaceable way were in the latter end of our dear father of ever blessed memory dissolved as fruitless and unfit longer to be held on foot, and this by the counsel of both houses of parliament then sitting; so those two great and honourable bodies of the peers and people represented in parliament, led on this counsel and course to a war with Spain; to effect this, they desired our aid and assistance, and used us to work our said dear father to entertain this course. This upon their persuasions and promises of all assistance and supply we readily undertook and effected, and cannot now be left in that business, but with the sin and shame of all men. Sin, because aid and supply for the defence of the kingdom, and the like affairs of the state, especially such as are advised by parliamentary counsel, are due to the king from his people by all law both of God and men; and shame if they forsake the king, while he pursues their own counsel just and honourable, and which could not under God but have been successful, if he had been followed and supplied in time, as we desired and laboured for. One thing there is, which proves a great hinderance of this state, and not continued among the people without great offence against God, detriment both to church and state, and our great disservice in this

this and all other business; it is the breach of unity, which is grown too great and common among all sorts of men; the danger of this goes far; for in all states it hath made way for enemies to enter. We have by all means endeavoured union, and require of you to preach it, and charity, the mother of it, frequently in the ears of the people. We know their loyal hearts, and therefore wonder the more what should cause distracted affections. If you call upon them, which is your duty, we doubt not but that God will bless them with that love to himself, to his church, and their own preservation, which alone will be able to bind up the scatterings of divided affections into strength. To this end you are to lay before them what miseries home-divisions have brought upon this and many other kingdoms, and to exhort all men to embrace it in time; the danger itself, besides all other christian and prudent motives, is offence enough, where it is duly considered, to make men join in all amity against a common, a great, and a growing enemy, and to do it in time, before any secret and cunning working of his may use one part in a division, to weaken the other; and in the last place, but first and last and all times to be insisted upon, you are to call upon God yourselves, and to incite the people to join with you in humble and hearty prayers unto God, that he will be pleased now after long afflictions of his dear people and children, to look in mercy both upon them and us, and in particular for the safety of the king of Denmark, and that army which is left him, that God would bless and prosper him against his and our enemies. Thus you are to strengthen the hearts and the hands of our loyal subjects and people in and upon God. And whereas the greatest confidence men have in God, ariseth not only from his promises, but from their experience likewise of his goodness; you must not fail often to recall to the memory of the people with thankfulness the late great experience, we have had of his goodness towards us. For the three great and usual judgments, which he darts down upon disobedient and unthankful people, are pestilence, famine, and the sword; the pestilence did never rage more in this kingdom than of late; and God was graciously pleased in mercy to hear the

prayers which were made unto him, and the ceasing of the judgment was little less than a miracle. The famine threatned us this present year, and it must have followed, had God rained down his anger a little longer upon the fruits of the earth; but upon our prayers he stayed that judgment, and sent us a most blessed season and a most plentiful harvest. The sword is the thing which we are now to look to, and you must call the people to their prayers again against the enemy, that God will be pleased to send the like deliverance from this judgment also, that in the same mercy he will vouchsafe to strengthen the hands of his people, that he will sharpen their sword, but dull and turn the edge of that which is in our enemies hands; that so while some fight, others may pray for the blessing. And you are to be careful, that you fail not to direct and hearten our loving people in this and all other necessary services both of God, his church, and us, that we may have the comfort of our people's service, the state safety, the church religion, and the people the enjoying of all such blessings as follow these: and we end with doubling of this care upon you and all under you in their several places. Given at our palace at Westm. in the second year of our reign, the 21st of September M.DC.XXVI.

The care which your lordship is to use in this behalf, is, to see them made known in the worthy preachers and ministers in your diocese, and so far as your lordship may, in your own person to put these things in execution, and to call upon the clergy, which is under you, in their preaching and private conferences to stir up all sort of people, to express their zeal to God, their duty to the king, and their love unto their country, and one to another; that all good and christian courses may be taken for the preservation of the true religion both in this land, and throughout all Christendom; which not doubting but your lordship with all diligence and speed will see effected, I leave you to the Almighty, and remain

Your lordship's loving brother,

Croydon, Sept. 26.
M.DC.XXVI.

G. CANT.

Archiepisc. Cant.
GEO. ABBOT 16.

Anno Christi
1627.

Reg. Angliae
CAROL. I. 3.

Convocatio praelatorum et cleri provinciae Cantuar. et Ebor.

CONVOCATIO praelatorum et cleri provinciae Cant. 18. die mensis Martii in ecclesia S. Pauli London. summonita fuit: in qua post recitatum breve regium archiepiscopo directum episcopos Londinensem et Bathon. eorumque in absentia episcopos Winton. Norwicen. Roffen. et Lichen. archiepiscopi loco praesides synodi agere conjunctim et divisim fuit decretum, et post lectionem certificatorii episcopi Londinen-

sis schedula contumacium perlecta.

IN provincia Ebor. virtute brevis regii convocatio 18. Febr. inchoata per commissionem archiepiscopi continuabatur usque in diem Martis prox. ante Pascha prox. futurum, vel citius, si opus fuerit. Archiepiscopo autem mortuo, antequam dies ille ingrueret, convocatio haec die praefixo non fuit celebrata.

Archiepisc. Cant.
GEO. ABBOT 17.

Anno Christi
1627.

Reg. Angliae
CAROL. I. 3.

A commission to sequester archbishop Abbot from all his ecclesiastical offices and jurisdiction. Rushworth's Coll. vol. I. page 431. Frankland's Annal. p. 211.

CHARLES, by the grace of God king of England, Scotland, France, and Ireland, defender of the faith, etc. to the right reverend father in God, George, lord bishop of London, and to the right reverend father in God, our trusty and well beloved counsellor, Richard, lord bishop of Durham, and to the right reverend father in God, John, lord bishop of Rochester, and John, lord bishop of Oxford, to the right reverend father in God, our right trusty and well beloved counsellor, William, lord bishop of Bath and Wells, greeting.

Whereas George, now archbishop of Canterbury, in the right of the archbishoprick, hath severall and distinct archiepiscopal, episcopal, and other spiritual and ecclesiastical powers and jurisdictions, to be exercised in the government and discipline of the church within the province of Canterbury, and in the administration of justice in causes ecclesiastical within that province, which are partly executed by himself in his own person, and partly and more generally by severall persons nominated and authorized by him, being learned in the ecclesiastical laws of this realm, in those severall places, whereunto they are deputed and appointed by the said archbishop; which severall places, as we are informed, they severally hold by severall grants for their severall lives; as namely, Sir Henry Martin, K^t. hath and holdeth by the grants of the said archbishop the offices and places of the dean of the Arches, and judge, or master of the Prerogative court, for the natural life of the said Sir Henry Martin.

Sir Charles Caesar, K^t. hath and holdeth by grants of the said archbishop the places or offices of the judge of the Audience, and master of the Faculties, for the term of the natural life of the said Sir Charles Caesar.

Sir Thomas Ridley, K^t. hath and holdeth by the grant of the said archbishop the place or office of vicar general to the said archbishop.

And Nathaniel Brent, doctor of the laws, hath and holdeth by grant of the said archbishop the office or place of commissary to the said archbishop, as of his proper and peculiar diocese of Canterbury.

And likewise the severall registers of the Arches, Prerogative, Audience, Faculties, and of the vicar general and the commissary of Cant. hold their places by grants from the said archbishop respectively.

Whereas the said archbishop in some or all of these severall places and jurisdictions doth or may sometimes assume unto his personal and proper judicature, order, or direction some particular causes, actions, or cases at his pleasure; and forasmuch as the said archbishop cannot at this present, in his own person, attend the

services, which are otherwise proper for his cognizance and jurisdiction, and which as archbishop of Cant. he might and ought in his own person to have performed and executed in causes and matters ecclesiastical, in the proper function of archbishop of that province; we therefore, of our regal power, and of our princely care and providence, that nothing shall be defective in the order, discipline, government, or right of the church, have thought fit by the service of some other learned and reverend bishops, to be named by us, to supply those things which the said archbishop ought or might in the cases aforesaid to have done, but for this present cannot perform the same.

Know ye therefore, that we reposing special trust and confidence in your approved wisdoms, learning, and integrity, have nominated, authorized, and appointed, and do by these presents nominate, authorize, and appoint you the said George, lord bishop of London, Richard, lord bishop of Durham, John, lord bishop of Rochester, John, lord bishop of Oxford, and William, lord bishop of Bath and Wells, or any four, three, or two of you, to do, execute, and perform all and every those acts, matters, and things, any way touching or concerning the power, jurisdiction, or authority of the archbishop of Cant. in causes or matters ecclesiastical, as amply, fully, and effectually, to all intents and purposes, as the said archbishop himself might have done.

And we do hereby command you and every of you, to attend, perform, and execute this our royal pleasure, in and touching the premises, until we shall declare our will and pleasure to the contrary.

And we do further hereby will and command the said archbishop of Canterbury, quietly and without interruption to permit and suffer you the said George, bishop of London, Richard, bishop of Durham, John, bishop of Rochester, John, bishop of Oxford, and William, bishop of Bath and Wells, any four, three, or two of you, to execute and perform this our commission, according to our royal pleasure thereby signified.

And we do further will and command all, and every other person and persons, whom it may any way concern, in their severall places or offices, to be attendant, observant, and obedient to you, and every one of you, in the execution and performance of this our royal will and command, as they and every of them will answer the contrary at their utmost perils.

Nevertheless we do hereby declare our royal pleasure to be, that the said Sir Henry Martin, Sir Charles Caesar, Sir Thomas Ridley, and Nathaniel Brent, in their severall offices and places

places aforesaid, and all other registers, officers, and ministers in the several courts, offices, and jurisdictions appertaining to the said archbishop, shall quietly and without interruption hold, use, occupy, and enjoy their said offices and places, which they now hold by the grant of the said archbishop, or any other former archbishop of Cant. in such manner and form, and with those benefits, privileges, powers, and authorities, which they now have, hold, and enjoy therein, or thereout, severally and respectively, they, and every of them, in their several places, being attendant and obedient unto you, the said George, Bishop of London, Richard, bishop of Durham, John, bishop of

Rocheſter, John, biſhop of Oxford, and William, biſhop of Bath and Wells, or to any four, three, or two of you, in all things, according to the tenor of this our commiſſion, as they ſhould or ought to have been to the ſaid archbiſhop himſelf, if this commiſſion had not been had or made. In witneſs whereof, we have cauſed theſe our lettets to be made patent. Witneſs our ſelf at Weſtmiſter the ninth day of Oſtober, in the third year of our reign.

Per ipſum regem.

EDMONDS.

Archiepiſc. Cant.
GEO. ABBOT 17.

Anno Chriſti
1627.

Reg. Angliae
CAROL. I. 3.

His majeſty's declaration.

BEING by God's ordinance, according to our juſt title, defender of the faith, and ſupreme governor of the church within theſe our dominions, we hold it moſt agreeable to this our kingly office, and our own religious zeal, to conſerve and maintain the church committed to our charge in unity of true religion, and in the bond of peace; and not to ſuffer unneceſſary diſputations, altercations, or queſtions to be raiſed, which may nourish faction both in the church and commonwealth. We have therefore upon mature deliberation, and with the advice of ſo many of our biſhops, as might conveniently be called together, thought fit to make this declaration following: That the articles of the church of England, which have been allowed and authorized heretofore, and which our clergy generally have ſubſcribed unto, do contain the true doctrine of the church of England agreeable to God's word; which we do therefore ratify and confirm, requiring all our loving ſubjects to continue in the uniform profeſſion thereof, and prohibiting the leaſt difference from the ſaid articles; which to that end we command to be new printed, and this our declaration to be published therewith.

That we are ſupreme governor of the church of England; and that if any difference ariſe about the external policy, concerning the injunctions, canons, or other conſtitutions whatsoever thereto belonging, the clergy in their convocation is to order and ſettle them, having firſt obtained leave under our broad ſeal ſo to do; and we approving their ſaid ordinances and conſtitutions, provided that none be made contrary to the laws and cuſtoms of the land.

That out of our princely care, that the churchmen may do the work which is proper unto them; the biſhops and clergy from time to time in convocation, upon their humble deſire ſhall have licence under our broad ſeal to deliberate of, and to do all ſuch things, as being made plain by them, and aſſented unto by us, ſhall concern the ſettled continuance of the doctrine and diſcipline of the church of England now

eſtabliſhed; from which we will not endure any varying, or departing in the leaſt degree.

That for the preſent, though ſome differences have been ill raiſed, yet we take comfort this, that all clergymen within our realm have always moſt willingly ſubſcribed to the articles eſtabliſhed; which is an argument to us, that they all agree in the true uſual literal meaning of the ſaid articles, and that even in thoſe curious points, in which the preſent differences lie, men of all ſorts take the articles of the church of England to be for them; which is an argument again that none of them intend any deſertion of the articles eſtabliſhed.

That therefore in theſe both curious and unhappy differences, which have for ſo many hundred years, in different times and places, exerciſed the church of Chriſt; we will that all further curious ſearch be laid aſide, and theſe diſputes ſhut up in God's promiſes, as they be generally ſet forth to us in the holy ſcriptures, and the general meaning of the articles of the church of England according to them. And that no man hereafter ſhall either print or preach to draw the article aſide any way, but ſhall ſubmit to it in the plain and full meaning thereof; and ſhall not put his own ſenſe or comment to be the meaning of the article, but ſhall take it in the literal and grammatical ſenſe.

That if any public reader in either of our univerſities, or any head or maſter of a college, or any other perſon reſpectively in either of them ſhall affix any new ſenſe to any article, or ſhall publicly read, determine, or hold any public diſputation, or ſuffer any ſuch to be held either way in either of the univerſities or colleges reſpectively; or if any divine in the univerſities ſhall preach or print any thing either way, other than is already eſtabliſhed in convocation with our royal aſſent; he, or they the offenders, ſhall be liable to our diſpleaſure and the church's cenſure in our commiſſion eccleſiaſtical, as well as any other; and we will ſee there ſhall be due execution upon them.

Convo-

Archiepisc. Cant.
GEO. ABBOT 18.

Anno Christi
1628.

Reg. Angliae
CAROL. I. 4.

Convocatio praelatorum et cleri provinciae Cantuar. et Ebor.

IN convocatione praelatorum et cleri provinciae Cantuar. hujus anni, concessio quinque subsidiorum domino regi fuit negotium colloquiorum et consultationum utriusque domus; synodus tandem 11. die Martis, M.DC.XXVIII. virtute brevis regii et commissionis archiepiscopalis ab episcopo Menevensi fuit dissoluta.

VIRTUTE brevis regii custodes spiritualitatis archiepiscopatus clerum provinciae Ebor. ad 19. diem mensis Maii summonebant, eodemque die cum praelatorum et cleri procuratorum unanimi consensu quinque subsidia quatuor solidorum de libra omnium dignitatum et promotionum spiritualium et ecclesiasticarum infra provinciam Ebor. concedebant. Post varias deinde continuationes ad 5. Junii, et ab eo ad 9. ejusdem mensis; et inde ad 10. Julii

synodus per breve regium ad 21. mensis Octobris prorogata fuit. Nova deinde convocatio per aliud breve regis Samueli, archiepiscopo Ebor. directum, inchoata 10. die Februarii auctoritate commissionis archiepiscopalis continuabatur in diem 26. Februarii. Quo die literae conscribebantur ad defendendos a prosecutione litium forensium Ferdinandum Morecroft, praebendar. Dunelm. Gabrielem Clerk, archidiaconum Dunelm, Richardum Hunt, decanum Dunelm. Johannem Cofin, archidiac. de Eastriding, et W. James, praebendar. Dunelm. Deinde die Lunae 22. die mensis Martii, M.DC.XXVIII. dissoluta est haec convocatio virtute brevis regii per Henricum Wickham de consensu collegarum suorum.

Archiepisc. Cant.
GEO. ABBOT 19.

Anno Christi
1630.

Reg. Angliae
CAROL. I. 6.

A proclamation for the better ordering of those, who repair to the court for the cure of the disease called the King's Evil. W. Becket's Enquiry about the healing the King's Evil.

WHEREAS by the grace and blessing of God the kings and queens of this realm, for many ages past, have had the happiness by their sacred touch and invocation of the name of God to cure those that are afflicted with the disease called the King's Evil; and his now most excellent majesty in no less measure than any of his royal predecessors hath had good success herein; and in his most gracious and pious disposition is as ready and willing, as any king or queen of this realm ever was, in any thing to relieve the distresses and necessities of his good subjects; yet in his princely wisdom foreseeing that in this, as in all other things, order is to be observed, and fit times are necessary to be appointed for the performing this great work of charity; his most excellent majesty doth hereby publish and declare his royal will and pleasure to be; that whereas heretofore the usual times of presenting such persons to his majesty for this purpose were Easter and Whitsonide, that from henceforth the times shall be Easter and Michaelmas, as times more convenient both for the temperance of the season, and in respect of any contagion, which may happen in this near access to his majesty's sacred person; and his majesty doth accordingly will and command, that from the time of publishing this proclamation, none presume to repair to his majesty's royal court to be healed of that disease before the feast of St. Michael now next coming. April the 6th M.DC.XXX.

The ceremonies for the healing of them that be diseased with the King's Evil, as they were practised in the time of king Henry VII.

First, the king kneeling shall begin and say:

In nomine Patris, et Filii, et Spiritus Sancti, Amen.

And as he hath said that, he shall say:
Benedicite.

The chaplain kneeling before the king, having a stole about his neck, shall answer and say:

Dominus sit in corde tuo et labiis tuis, ad confitendum omnia peccata tua, in nomine Patris, et Filii, et Spiritus Sancti, Amen.

Or else to say:

Jesus nos exaudiat, in nomine Patris, et Filii, et Spiritus Sancti, Amen.

Then by and by the king shall say:

Confiteor Deo, beatæ Mariæ virgini, omnibus sanctis, et vobis, quia peccavi nimis in cogitatione, locutione, et opere mea culpa; precor sanctam Mariam, omnes sanctos Dei, et vos orare pro me.

The chaplain shall answer and say:

Misereatur vestri omnipotens Deus, et dimittat vobis omnia peccata vestra, liberet vos ab omni malo, salvet et confirmet in bono, et ad vitam perducatur aeternam, Amen.

Abolutionem et remissionem omnium peccatorum vestrorum, spatium verae poenitentiae et emendationem vitae, gratiam et consolationem Sancti Spiritus tribuat vobis omnipotens et misericors Dominus, Amen.

This done, the chaplain shall say:

Dominus vobiscum.

The king shall answer:

Et cum spiritu tuo.

The chaplain:

Sequentia sancti evangelii secundum Marcum.

The

The king shall answer:

Gloria tibi, Domine.

The chaplain shall read the gospel:

In illo tempore, recumbentibus undecim discipulis apparuit illis Jesus, et exprobravit incredulitatem eorum et duritiem cordis; quia iis, qui viderant eum resurrexisse, non crediderunt. Et dixit eis, Euntes in mundum universum praedicate evangelium omni creaturae. Qui crediderit et baptizatus fuerit, salvus erit, qui vero non crediderit, condemnabitur. Signa autem eos, qui crediderint, haec sequentur: in nomine meo daemones ejicient; linguis loquentur novis; serpentes tollent; et si mortiferum quid biberint, non eis nocebit: super aegros manus imponent et bene habebunt.

Which clause "Super aegros" etc. the chaplain repeats as long as the king is handling the sick person. And in the time of the repeating the aforesaid words "Super aegros" etc. the clerk of the closet shall kneel before the king, having the sick person upon the right hand, and the sick person shall likewise kneel before the king: and then the king shall lay his hand upon the fore of the sick person.

This done, the chaplain shall make an end of the gospel; and in the mean time the surgeon shall lead away the sick person from the king.

Et Dominus quidem Jesus, postquam locutus est eis, assumptus est in caelum, et sedet a dextris Dei. Illi autem profecti praedicaverunt ubique, Domino cooperante et sermonem confirmante sequentibus signis.

Then the chaplain shall begin to say:

Dominus vobiscum.

The king shall answer:

Et cum spiritu tuo.

The chaplain:

Initium sancti evangelii secundum Johannem.

The king shall say:

Gloria tibi Domine.

The chaplain then shall say this gospel following:

In principio erat Verbum, et Verbum erat apud Deum, et Deus erat Verbum. Hoc erat in principio apud Deum. Omnia per ipsum facta sunt, et sine ipso factum est nihil, quod factum est: in ipso vita erat, et vita erat lux hominum. Et lux in tenebris lucet, et tenebrae eam non comprehenderunt. Fuit homo missus a Deo, cui nomen erat Johannes. Hic venit in testimonium, ut testimonium perhiberet de lumine, ut omnes crederent per illum. Non erat ille lux, sed ut testimonium perhiberet de lumine. Erat lux vera, quae illuminat omnem hominem venientem in hunc mundum.

Which last clause "Erat lux vera" etc. shall still be repeated so long as the king shall be crossing the fore of the sick person with an angel noble; and the sick person to have the same angel hanged about his neck, and

to wear it until he be full whole.

This done, the surgeon shall lead away the sick person as he did before, and then the chaplain shall make an end of the gospel.

In mundo erat, et mundus per ipsum factus est, et mundus eum non cognovit. In propria venit, et sui eum non receperunt. Quotquot autem receperunt eum, dedit eis potestatem filios Dei fieri, his qui credunt in nomine ejus; qui non ex sanguinibus, neque ex voluntate carnis, neque ex voluntate viri, sed ex Deo nati sunt. Et Verbum caro factum est, et habitavit in nobis; et vidimus gloriam ejus, gloriam quasi unigeniti a Patre, plenum gratiae et veritatis.

Then the chaplain shall say:

Sit nomen Domini benedictum.

The king shall answer:

Et hoc nunc et usque in seculum.

Then shall the chaplain say this collect following, praying for the sick person or persons: Domine exaudi orationem meam.

The king shall answer:

Et clamor meus ad te veniet.

Oremus.

Omnipotens sempiterne Deus, salus aeterna credentium, exaudi nos pro famulis tuis, pro quibus misericordiae tuae imploramus auxilium, ut, reddita sibi sanitate, gratiarum tibi in ecclesia tua referant actiones. Per Christum Dominum nostrum, Amen.

This prayer is to be said secretly after the sick persons are departed from the king, at his pleasure.

Dominator Domine Deus omnipotens, cujus benignitate caeci vident, surdi audiunt, muti loquuntur, claudi ambulant, leprosi mundantur, omnes infirmorum curantur languores, et a quo solo donum sanationis humano generi etiam tribuitur et tanta gratia, pro incredibili tua erga hoc regnum bonitate, regibus ejusdem concessa est, ut sola manuum illorum impositione morbus gravissimus foetidissimusque depellatur; concede propitius ut tibi propterea gratias agamus, et pro isto singulari beneficio in nos collato, non nobisipsis sed nomini tuo assidue gloriam demus, nosque sic ad pietatem semper exerceamus, ut tuam nobis donatam gratiam non solum diligenter conservare, sed indies magis magisque adaugere laboremus; et praesta ut quorumcunque corporibus, in nomine tuo, manus imposuerimus, hac tua virtute in illis operante et nobis ministrantibus, ad pristinam sanitatem restituantur, eam conservent, et pro eadem tibi, ut summo medico et omnium morborum depulsi, perpetuo nobiscum gratias agant, sicque deinceps vitam instituant, ut non corpus solum ab infirmitate, sed anima etiam a peccato omnino sanata videatur. Per Dominum nostrum Jesum Christum Filium tuum, qui tecum vivit et regnat in unitate Sancti Spiritus per omnia secula seculorum, Amen.

Archiepisc Cant.
GEO. ABBOT 22.

Anno Christi
1632.

Reg. Angliae
CAROL. I. 8.

King Charles's letter to the archbishop of Canterbury touching the patronage of benefices. Reg. II. Abbot fol. 131. b.

CHARLES R.

MOST reverend father in God, right trusty and well beloved counsellor, we greet you well. Whereas we are certainly informed, that since the 30th year of our late queen Elizabeth many usurpations have been made upon rectories, vicarages, and other ecclesiastical promotions, the patronage whereof were the undoubted right of the crown of England, and that it is at this day frequent and usual for many, especially such as are owners of manors, rectories, or towns, to present unto parsonages, vicarages, and other ecclesiastical benefices, whereof we are right and undoubted patron, under pretence that the advowsons thereof are appendant to the said manors, rectories, and towns, albeit many of the said advowsons were never appendant to any manor, or other possession, and many of the said advowsons are expressly excepted in the letters patents, by which the said manors, rectories and towns are claimed and enjoyed, and procure their clerks to be speedily instituted and inducted thereunto, before we or our officers have knowlege, that the churches are become void; by which means it happeneth, that no presentation at all is sought for from us, but the said advowsons are wholly concealed from us, and kept by unjust usurpers: and albeit we do take notice thereof and present thereunto, yet the clerks presented by us to the same are put to such excessive charges in recovering the same, that many of them for avoiding the charge, desert both the suit and our title, whereby we have suffered much disherison, and are like daily to suffer more, unless due care be had to ordain a remedy therein, whereby we and our successors shall be disabled to prefer so many able and well deserving churchmen, as of right we ought, and much desire to do; which in the end will tend to the great prejudice of the church and true religion; all which might easily be prevented, if the institutions of the clerks of such usurpers were staid, until we or our officers had notice of the avoidance: we do therefore hereby will and require you, that upon all institutions to be made hereafter by you to any church livings, before you give such institutions at the presentation of any our subjects, you cause diligent search to be made by your registers or other officers, by whose presentation the last incumbent of the said benefice was promoted thereunto; and if by such search or otherwise you shall find or know, that he had the same as of the patronage and presentation of us, or of any other our predecessors, that then you forbear to give institution to our prejudice, and cause some of your officers to put in a legal and orderly caveat on our behalf, in stay of the said institution, and

that you give speedy notice as well of the avoidance of the church, as of such your proceedings by your letters either to the lord keeper of our great seal of England, or to our attorney general, for such course to be taken for preserving of our inheritance and right, as to justice shall appertain. Nevertheless for avoiding all mistakings and misinterpretations of our true meaning herein, we do not intend hereby to prejudice or hinder the right of any our subjects by colour of any presentations made by us, or any of our predecessors, by reason of lapse, simony, outlawry, or other like title, which serveth but for that time or turn only; neither do we mean to prejudice or hinder the right of any our subjects that can produce any sufficient grant, or letters patents subsequent to the presentation of the last incumbent, whose institution and induction gave us a full possession of the patronage, from which we ought not to be removed but by petition of right, or other legal way, to which it is just, that our council learned be called. And to the intent we may take a course for the recovering and recontinuing to our crown those advowsons, which have been in times past so unjustly usurped upon; we do therefore will and require you, that you cause diligent search to be made by your registers or other officers, what rectories, vicarages, and other benefices in the said 30th year of the said late queen, or any time since, were held and enjoyed by the incumbents thereof, by or under the patronage and presentation of the said late queen, our dear father, or ourself, and have since those presentations been presented unto by others, and when, and by whom those presentations were made; and that you make certificate what you find therein to the lord keeper of our great seal of England, or to our attorney general, before the 10th day of November next, whereby we may take a course to be restored to such of the said advowsons, as are wrongfully kept from us without any letters patents, or other good right. And as it is our pleasure that you observe this course within your own diocese and peculiars; so we do hereby will and require you by your letters to take order with all the bishops and others within your province, to whom the institutions of clerks do belong, that they from time to time observe the same course in all respects, and make the like certificates for all matters within their several dioceses and jurisdictions as fully and amply, as yourself are to do within your diocese and peculiars. And of these our commandments we require you and them to have an especial care, as a matter much importing the church and us. Given under our signet at our palace of Westm. the 17th day of July, in the eighth year of our reign.

Certi-

Archiepisc. Cant.
GEO. ABBOT 22.

Anno Christi
1632.

Reg. Angliae
CAROL. I. 8.

Certificatorium archiepiscopi de executione mandati regis. Ex reg. II. Abbot fol. 132. b.

GEORGIUS, etc. honorando viro Thomae domino Coventry, dominoque custodi magni sigilli Angliae, necnon ornatō viro Willelmo Noy, attornato generali serenissimi in Christo principis et domini nostri, domini Caroli, Dei gratia Angliae, Scotiae, Franciae, et Hiberniae regis, fidei defensoris, etc. salutem in Domino sempiternam, ac fidem indubiam praesentibus adhiberi. Literas praedicti serenissimi in Christo principis et domini nostri, domini Caroli gerent. dat. apud Westm. decimo septimo die mensis Julii, anno regni sui felicissimi octavo, sub sigillo suo privato sigillatas, nobisque inscriptas et directas, nuper cum ea, qua decuit, reverentia, obedientia, et subjectione humiliter recepimus exequend. cujus vigore pariter et auctoritate scrutatis diligenter de mandato nostro registris et aliis archivis nostris sub custodia Willelmi Sherman, notarii publici registrarum nostri principalis existen. et fideliter custoditis nomina et cognomina omnium et singulorum clericorum ad quascunque rectorias, vicarias, et alia beneficia sive promotiones ecclesiasticas infra civitatem et dioec. nostras Cant. ac peculiares jurisdictiones nostras admissorum et institutorum, tam sub patronatu et praesentatione beatae memoriae dominae Elizabethae, quondam regi-

nae, excellentissimi et felicissimi principis nuper regis Jacobi, serenissimique et potentissimi principis domini nostri, domini Caroli regis, quam nomina et cognomina omnium et singulorum clericorum ad praedictas rectorias, vicarias, et alias promotiones ecclesiasticas admissorum et institutorum, sub praesentatione aliorum patronorum praetensorum in tricesimo anno regni dictae dominae reginae Elizabethae, et citra usque in diem dati praesentium, una cum annotatione et descriptione dierum, mensium, et annorum, admissorum, et institutionum eorundem clericorum, ac nominibus patronorum, dictorum beneficiorum in hujusmodi registris nostris mentionat. in binis schedulis praesentibus annex. describi fecimus et mandavimus. Quae omnia et singula ita se habere et vera esse vobis aut vestrum alteri, harum serie, juxta tenorem literarum praedictarum, quatenus ex registris et archivis nostris hujusmodi constare possit, duximus significand. fore per praesentes. In cujus rei testimonium sigillum, quo in hac parte utimur, praesentibus apponi fecimus. Dat sexto die mensis Novembris, anno Domini M.DC.XXXII. regnique dicti domini nostri regis anno octavo, et nostrae translationis anno viceesimo secundo.

Archiepisc. Cant.
GEO. ABBOT 23.

Anno Christi
1633.

Reg. Angliae
CAROL. I. 9.

The archbishop's letter about the ministering and receiving of the sacrament in the church of Crayford in Kent. Reg. II. Abbot fol. 143. b.

GEORGE, by the providence of God archbishop of Cant. primate and metropolitan of all England, to our well beloved in Christ the parson, churchwardens, and other the parishioners and inhabitants of the parish of Crayford in the county of Kent and deanry of Shoreham, of the peculiar and immediate jurisdiction of us, and of our cathedral and metropolitical church of Christ Cant. and to all other persons whatsoever, to whom these presents shall come, or may any way concern, greeting in our Lord God everlasting. Whereas upon some difference arising among you about the decent and reverend ministering and receiving of the holy communion in the chancel of the said church of Crayford, we upon the petition of you the parson did refer the viewing of the said church, and examination of the said difference unto Sr. Nathaniel Brent, knight, our vicar general, who having viewed the said church in the presence of you the said parson, churchwardens, and some others of the said parish, hath certified us what seems to him upon the said view to be most decent and convenient for the most reverend and orderly receiving of the holy communion in the said chancel of the said church.

Now know you that upon the relation of the said Sr. Nathaniel, as also upon a mature and deliberate hearing of the parties interested in the said difference, in our manor house of Lambeth in the county of Surry upon the 21. day of May, anno Domini M.DC.XXXIII. in the presence of our said vicar general, and divers others, and also in the presence of Thomas Tane clerk, the now incumbent parson of the parish church of Crayford, and Thomas Andrewes, John Ludlowe, churchwardens, and Joseph Bingham, Thomas King, and John Kettle, parishioners of the said parish of Crayford, and others then and there present, have ordered and decreed, and by these presents do order and decree as followeth; "videlicet:" That the parishioners and inhabitants of the said parish of Crayford, and others intending hereafter to receive the holy communion there, shall repair unto the two ascents, or foot paces in the chancel before the communion table, and there mats being laid upon the said two ascents, or foot paces, to kneel upon, and mats being also laid on either side above the said steps to kneel upon (if by reason of the number of communicants it seems requisite, the two

two ascents or foot paces being first filled) they shall in decent and reverend manner humbly kneeling upon their knees on the said two ascents or foot paces, receive the holy communion and sacrament of the body and blood of our Lord and saviour Jesus Christ; and after the first company hath received the same, they to return to other seats and places in the said church; and to give way for a second company to receive in like manner; and the second after they have received in like manner, to return and give way for a third company, and the third to the fourth and so successively until all the communicants there have received the ho-

ly communion in manner and form aforesaid. And we do require you the minister of Crayford aforesaid, that upon some Sundays or holydays, in the time of divine service, you do publish and declare this our order and decree to the parishioners of the said parish of Crayford; and we admonish you, the parishioners of Crayford, that upon notice of the premisses, you be obedient and conformable thereunto, as you will answer the contrary at your peril. Given under our archiepiscopal seal at Lambhith the eighth day of July, anno Domini M.DC.XXXIII. and in the three and twentieth year of our translation.

Archiepis. Cant.
GUIL. LAUD 1.

Anno Christi
1633.

Reg. Angliae
CAROL. I. 9.

The king's letter to the archbishop of Canterbury about his translation.

Reg. Laud fol. 207. b.

MOST reverend father in God, and right trusty and entirely beloved counsellor, we greet you well. Out of our gracious opinion of your worth and care both for the good of God's church and our service, we have given order for your translation to the see of Cant. and we think fit for the upholding of the honour and government of the said church, hereby to require you, in the form of your

translation, to use all such ceremonies and offices, and to carry your self with the same state and dignity, and to assume such privileges and preeminences, as your predecessors in that see have used and enjoyed heretofore. This we expect at your hands as agreeable to the trust we repose in you. Given under our signet at our court at Denmark House this 8th day of September, in the ninth year of our reign.

The king's instructions for the most reverend father in God our right trusty and right entirely beloved counsellor William, lord archbishop of Canterbury, concerning certain orders to be observed and put in execution by the several bishops of his province, anno Domini, M.DC.XXXIII. Ex MSS. Harleynae Bibl. lib. 61. B. fol. 19. et Rymer. Foed. vol. XIX. p. 470.

I. **T**HAT the lords the bishops respectively be commanded to their several sees, there to keep residence, excepting those which are in necessary attendance at our court.

II. That none of them reside upon his land or lease, that he hath purchased, nor on his commendam, if he hold any, but in one of his episcopal houses, and that he waste not the woods where any are left.

III. That they give charge in their triennial visitation, and at other convenient times, both by themselves and the archdeacons, that our declaration for settling all questions in difference be strictly observed by all parties.

IV. That there be a special care taken by them all, that their ordinations be solemn and not of unworthy persons.

V. That they likewise take great care concerning the lecturers, within their several dioceses, for whom we give these special directions following:

1. That in all parishes the afternoon sermons be turned into catechising, by questions and answers, where and whensoever there is not some great cause apparent to break this ancient and laudable order.

2. That every bishop take care in his diocese, that all lecturers do read divine service,

according to the liturgy printed by authority, in their surplices and hoods before the lecture.

3. That where a lecture is set up in a market town, it may be read by a company of grave and orthodox divines near adjoining and of the same diocese, and that they ever preach in such seemly habits as belong to their degrees, and not in cloaks.

4. That if a corporation maintain a single lecturer, he be not suffered to preach, till he professes his willingness to take upon him a living with cure of souls within that corporation, and that he do actually take such benefice or cure, so soon as it shall be fairly procured for him.

VI. That the bishops do countenance and encourage the grave and orthodox divines of their clergy; and that they use means by some of the clergy or others to have knowledge, how both the lecturers and preachers within their several dioceses behave themselves in their sermons, that so they may take present order for any abuse accordingly.

VII. That the bishops suffer none under no blemen or men qualified by law, to keep any private chaplain in his house.

VIII. That they take special care that divine service be diligently frequented as well for pray-

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ers and catechism as sermons; and that particular notice be taken of all such as absent themselves as recusants or otherwise.

IX. That no bishop whatsoever, who by our grace and good opinion of his service shall be nominated by us to another bishoprick, shall from the day of our nomination presume to make any lease for three lives or one and twenty years, or a concurrent lease, or any ways renew any estate, or cut any wood or timber, but merely receive the rents due, and quit the place: for we think it a hateful thing, that any man's preferment to a better bishoprick should almost undo the successor. And if any shall presume to break this order, we will refuse him our royal assent, and keep him at the place, which he hath so abused.

X. That every bishop give his metropolitan a strict account yearly of their obedience to our late letters prohibiting them to change any leases from years into lives, and that they fail not to certify, if they find that the dean or dean and chapter, or any archdeacon or prebendary etc. within their several dioceses have at any time broken our command in any particular contained in the aforesaid letters.

XI. That every bishop to whom in regard of the small revenue of his bishoprick, we either have already or shall hereafter not only give power but command to receive and hold as in commendam any lease expired, or near expiring, and belonging to the see, or any ecclesiastical benefice or benefices or other promotions with cure or without, being in his or their own gift by letters given under our signet and sent to those bishops respectively, do likewise give an account yearly to his metropolitan, that he doth not put any of the aforesaid benefices or other preferment out of his commendam to give to any son, kinsman,

friend, or other upon any pretence whatsoever, thereby to frustrate our gracious intention to the bishops succeeding to those several sees.

XII. That every bishop respectively do likewise in his yearly account to his metropolitan give notice of any notable alteration or other accident within his diocese, which may any ways concern either the doctrine or the discipline of the church established.

XIII. That whereas John Bancroft, doctor in divinity, and bishop of Oxford, hath very worthily at his own proper cost and charges built a house for himself and the bishops of Oxford successively by both our leave and encouragement upon the vicarage of Cudsdon near Oxford, which vicarage is in the patronage and gift of him and his successors; and whereas our further will and pleasure is, that the said house together with the vicarage aforesaid shall ever be held in commendam by the bishops of Oxford successively; that therefore the said bishop for the time being do yearly give his particular account of his holding both the house and benefice aforesaid, to the end that we and our successors may upon all occasions be put in mind of keeping that house and vicarage to the see of Oxford at all times of change, when or howsoever that bishoprick shall become vacant or void.

XIV. Lastly we command every bishop respectively to give his account in writing to his metropolitan of all these our instructions, or as many of them as may concern him, at or before the tenth day of December yearly, and likewise that you out of them make a brief of your whole province, and present it to us yearly by the second day of January following; that so we may see how the church is governed, and our commands obeyed: and hereof in any wise fail you not.

Archiepisc. Cant.
GUIL. LAUD I.

Anno Christi
1633.

Reg. Angliae
CAROL. I. 9.

The king's and archbishop's letters against ordaining any "sine titulo."
Rushw. Coll. vol. II. f. 213. Reg. Laud fol. 191. b.

"**S**ALUTEM in Christo." My very good lord. His majesty hath been often and much troubled upon complaints, which have been made unto him by the lords and other men of quality, concerning the multitude of both unlearned and unworthy ministers, which pester the church and are always the causes of great scandal, and too often of schism and divisions therein, and some of them are forced, to the shame of themselves and their calling, for want of means, to beg for their living, and yet are daily made in great numbers, and that directly against the canon of the church, which requires that no man should be made a minister "sine titulo." For remedy of this great abuse and wrong to the church, his majesty has directed his letters to me, and by them required me to call all such bishops to me, as were then in or about the city, and after consultation with them, to send my letters to every several bi-

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shop within the province, to require obedience to the canon of the church, and his majesty's directions according to it; the tenor of which his majesty's letter followeth: Most reverend father in God, right trusty and right entirely beloved counsellor, we greet you well. There is nothing more dear to us, than the preservation of true religion, as it is now settled and established in this our kingdom, to the honour of God, and the great comfort of ourself, and our loyal people; and there can nothing more conduce to the advancement thereof, than the strict observation of such canons of the church, as concern those, that are to take orders in their several times, more especially to the keeping of that particular canon, which enjoineth, that no man be made a priest or a minister without a title: for we find that many not so qualified, do by favour or other means procure themselves to be ordained, and afterwards for want

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of means, wander up and down to the scandal of their calling; or to get maintenance, fall upon some courses as are most unfit for them, both by humouring their auditories, and other ways altogether unsufferable: we have therefore thought fit, and we do hereby straitly require and charge you to call such bishops to you, as are now present in or near our city of London, and to acquaint them with this our resolution; and further, that you fail not in the beginning of the next term to give notice of this our will and pleasure openly in our high commission court, and that you call into our said court every bishop respectively, that shall presume to give orders to any man, that hath not a title, and there to censure him as the canon aforesaid doth enjoin, which is to maintain the party so ordered till he give him a title, and with what other censure you in justice shall think fit. And our further will is, that nothing shall be reputed a title to enable a man for orders, but that which is so by the ancient course of the church, and the canon law, so far forth as that law is received in this our church of England. And as you must not fail in these our

directions, nor in any part of them, so we expect that you give us from time to time a strict account of your proceedings in the same. Given under our signet at our palace of Westm. the nineteenth day of September, in the ninth year of our reign.

According to these letters, I am to pray and require you, that at all times of ordination you be very careful to admit none into holy orders, but such men, as for life and learning are fit, and which have a title for their maintenance, according to the laws and ancient practice of the church. And his majesty hath further commanded me to advertise your lordship, that he will not fail to call for an account of these his letters both of me and you. Thus not doubting but you will have a special care both of the good of the church, and his majesty's contentment herein, I leave you to the grace of God, and rest

Your lordship's very loving friend and brother,

Lambeth October 24.
M.DC.XXXIII.

W. CANT.

Archiepisc. Cant.
GUIL. LAUD I.

Anno Christi
1633.

Reg. Angliae
CAROL. I. 9.

The archbishop's declaration what is a title according to the canon. Rushworth's Coll. vol. II. p. 214. Heylin's life of Laud ad annum.

- I. **A** PRESENTATION to some ecclesiastical preferment.
- II. Or, a certificate undoubted, that he is provided of some church void there.
- III. Or, a grant of some petty canon's place, or the like, in a cathedral or a collegiate church.
- IV. Or, a fellow, or in the right of a fellow in some college in Oxford or Cambridge.
- V. Or, a conduct, or a chaplain in some college in Oxford, or Cambridge.
- VI. Or, a master of arts of five years stand-

ing, living at his own charge in either of the universities.

VII. Or, the intention of the bishop that ordains, shortly to admit him to some benefice, or curate's place then void.

And I think the canon intends, that after a man is once admitted a curate, the parson or vicar of the place should not have power to put them off at pleasure, but only for such criminal unworthiness, as might deprive him of his benefice, if he had one.

An order of council for placing the communion table in St. Gregory's church.
Rushw. Coll. vol. II. f. 207.

At Whitehall November 3. M.DC.XXXIII.

THIS day was debated before his majesty, sitting in council, the question of difference, which grew about the removing the communion table in St. Gregory's church, near the cathedral church of St. Paul, from the middle of the chancel to the upper end, and there placed altarwise, in such manner as it standeth in the said cathedral, and mother church, as also in other cathedrals and in his majesty's own chapel, and as is consonant to the practice of approved antiquity; which removing and placing of it in that sort was done by order of the dean and chapter of St. Paul's, who are ordinaries thereof, as was avowed before his majesty by Dr. King, and Dr. Montford, two of the prebends there; yet some few of the parishioners, being but five in number, did complain of this act, by appeal

to the court of Arches, pretending that the book of common prayer and the 82^d canon do give permission to place the communion table, where it may stand with most fitness and convenience. Now his majesty having heard a particular relation, made by the council of both parties of all the carriage and proceedings in this cause, was pleased to declare his dislike of all innovation, and receding from ancient constitutions, grounded upon just and warrantable reasons, especially in matters concerning ecclesiastical orders and governments; knowing how easily men are drawn to affect novelties, and how soon weak judgments in such cases may be overtaken and abused. And he was also pleas'd to observe, that if those few parishioners might have their wills, the difference thereby from the aforesaid cathedral mother church, by which all other churches depending thereon ought to be

be guided, would be the more notorious, and give more subject of discourse and disputes, that might be spared by reason of the nearness of St. Gregory's, standing close to the wall thereof. And likewise for so much as concerns the liberty of the said common-prayer book or canon, for placing the communion table in any church or chapel with more conveniency; that liberty is not so to be understood, as if it were ever left to the discretion of the parish, much less to the particular fancy of any humorous person, but to the judgment of the ordinary, to whose

place and function it doth properly belong to give direction in that point, both for the thing itself, and the time when, and how long, as he may find cause. Upon which consideration his majesty declared himself, that he well approved and confirmed the act of the said ordinary, and also gave commandment, that if those few parishioners beforementioned do proceed in their said appeal, then the dean of the Arches, who was then attending at the hearing of the cause, should confirm the said order of the aforesaid dean and chapter.

Archiepisc. Cant.
GUIL. LAUD I.

Anno Christi
1633.

Reg. Angliae
CAROL. I. 9.

The king's majesty's declaration to his subjects concerning lawful sports to be used.

By the king.

OUR dear father of blessed memory in his return from Scotland, coming thro' Lancashire, found that his subjects were debarr'd from lawful recreations upon Sundays after evening prayers ended, and upon holydays: and he prudently consider'd, that if these times were taken from them, the meaner sort, who labour hard all the week, should have no recreations at all, to refresh their spirits. And after his return, he further saw that his loyal subjects in all other parts of the kingdom did suffer in the same kind, tho' perhaps not in the same degree, and did therefore in his princely wisdom publish a declaration to all his loving subjects concerning lawful sports to be used at such times, which was printed and published by his royal commandment in the year M.DC.XVIII. in the tenor, which hereafter followeth:

By the king.

Whereas upon our return the last year out of Scotland we did publish our pleasure touching the recreations of our people in those parts under our hand; for some causes us thereunto moving we have thought good to command these our directions, then given in Lancashire, with a few words thereunto added, and most applicable to these parts of the realms, to be publish'd to all our subjects.

Whereas we did justly in our progress thro' Lancashire rebuke some puritans and precise people, and took order, that the like unlawful carriage should not be used by any of them hereafter, in the prohibiting and unlawful punishing of our good people for using their lawful recreations, and honest exercises upon Sundays and other holydays after the afternoon sermon or service; we now find that two sorts of people, wherewith that country is much infected (we mean papists and puritans) have maliciously traduced and calumniated those our just and honourable proceedings. And therefore lest our reputation might upon the one side (tho' innocently) have some aspersion laid upon it, and that upon the other part our good people in that country be misled by the mistaking and misrepresentation of our meaning; we have therefore thought

good hereby to clear and make our pleasure to be manifested to all our good people in those parts.

It is true, that at our first entry to this crown and kingdom we were informed, and that too truly, that our county in Lancashire abounded more in popish recusants, than any county of England; and hath still continued to our great regret with little amendment, save that now of late in our last riding thro' our said county we find both by the report of the judges, and of the bishop of the diocese, that there is some amendment now daily beginning, which is no small contentment to us.

The report of this growing amendment amongst them made us the more sorry, when with our own ears we heard the general complaint of our people, that they were barred from all lawful recreation and exercise upon the Sunday afternoon, after the ending of all divine service, which cannot but produce two evils; the one the hindring of the conversion of many, whom their priests will take occasion hereby to vex, persuading them that no honest mirth or recreation is lawful on those days, which cannot but breed a great discontent in our people's hearts, especially of such as are peradventure upon the point of turning; the other inconvenience is, that this prohibition barreth the common and meaner sort of people from using such exercises as may make their bodies more able for war, whenever we or our successors shall have occasion to use them; and in place thereof, set up filthy tiplings and drunkenness, and breeds a number of idle and discontented speeches in their alehouses. For when shall the common people have leave to exercise, if not upon Sundays and holydays, seeing they must live by their labour, and win their living in all working days?

Our express pleasure therefore is, that the laws of our kingdom and canons of our church be as well observed in that county, as in all other places of this our kingdom. And on the other part that no lawful recreations shall be barred to our good people, which shall not tend to the breach of our foresaid laws, and canons of our church: which to express more particularly, our pleasure is, that the bishops and all other inferior clergymen and churchwardens shall for their

their parts be careful and diligent both to instruct the ignorant, and convince and reform them that are misled in religion, presenting them that will not conform themselves but obstinately stand out to our judges and justices: whom we likewise command to put the laws in due execution against them. Our pleasure likewise is, that the bishop of the diocese take the like strait order with all the puritans and precisians within the same, either constraining them to conform themselves, or to leave the county, according to the laws of our kingdom, and canon of our church, and so to strike equally on both hands against the contemners of our authority and adversaries of our church. And as for our good people's lawful recreation, our pleasure likewise is, that after the end of divine service our good people be not disturbed, letted, or discouraged from any lawful recreation, such as dancing, either men or women, archery for men, leaping, vaulting or any other such harmless recreation, nor from having of May-games, Whitsun-ales, and morris-dances, and the setting up of May-poles, and other sports therewith used, so as the same be had in due and convenient time without impediment or neglect of divine service: and that women shall have leave to carry rushes to church for the decorating of it, according to their old custom. But withal we do here account still as prohibited all unlawful games to be used on Sundays only as bear and bull baitings, interludes, and at all times in the meaner sort of people by law prohibited bowling.

And likewise we barr from the benefit and liberty all such known recusants, either men or women, as will abstain from coming to church or divine service, being therefore unworthy of any lawful recreation after the said service, that will not first come to church and serve God. Prohibiting in like sort the said recreations to any that, tho' conform in religion, are not present in the church at the service of God, before their going to the said recreations. Our pleasure likewise is, that they, to whom it belongeth in office, shall present and sharply punish all such, as in abuse of this our liberty will use their exercises before the end of all divine services for that day. And we likewise

straitly command, that every person shall resort to his own parish church to hear divine service, and each parish by itself to use the said recreations after divine service. Prohibiting likewise any offensive weapons to be carried or used in the said times of recreations. And our pleasure is, that this our declaration shall be published by order from the bishop of the diocese through all the parish churches, and that both our judges of our circuits, and our justices of our peace be informed thereof. Given at our manor of Greenwich the 24th day of May, in the 16th year our reign of England, France, and Ireland, and of Scotland the 5th.

Now out of a like pious care for the service of God, and for suppressing of any humours that oppose truth, and for the ease, comfort, and recreation of our well deserving people, we do ratify and publish this our blessed father's declaration, the rather because of late in some counties of our kingdom we find, that under pretence of taking away abuses there hath been a general forbidding not only of ordinary meetings, but of the feasts of the dedication of the churches, commonly call'd "Wakes." Now our express will and pleasure it, that the feasts with others shall be observed, and that our justices of the peace in their several divisions shall look to it, both that all disorders there may be prevented or punished, and that all neighbourhood and freedom with manlike and lawful exercises be used. And we farther command our justices of the assize in their several circuits to see that no man do trouble or molest any of our loyal and dutiful people in or for their lawful recreations, having first done their duty to God, and continuing in obedience to us and our laws. And of this we command all our judges, justices of the peace, as well within liberties as without, mayors, bayliffs, constables, and other officers to take notice of and see observed, as they tender our displeasure. And we further will that publication of this our command be made by order from the bishops through all the parish churches of their several dioceses respectively. Given at our palace of Westminster the 18th day of October, in the 9th year of our reign.

God save the king.

Archiepisc. Cant.
GUIL. LAUD I.

Anno Christi
1633.

Reg. Angliae
CAROL. I. 9.

The archbishop of Canterbury's letter about sports on the Lord's day.

Reg. Laud fol. 192. a.

"**S**ALUTEM in Christo." My very good lord. It hath pleased his majesty to command the reprinting of a declaration published in his royal father's time of blessed memory, and intituled, "The king's majesty's declaration to his subjects concerning lawful sports to be used, etc." wherein, as your lordship shall find at the latter end thereof, every bishop is enjoined to see that the books be distributed to the several parishes within his diocese, and there published to the people, to the end they may know his majesty's princely care over them; and to

the effectual performance of this I make no doubt, but your lordship will use all diligence. And I am commanded to give you notice hereof, because his majesty expects no less from you; and your officers are to send for the books accordingly. So with my love remembered, I leave you to the grace of God and rest

Your lordships very loving friend and brother,

Lambeth October 28.
M.DC.XXXIII.

W. CANT.
The

Archiepiſc. Cant.
GUIL. LAUD I.

Anno Chriſti
1633.

Reg. Angliae
CAROL. I. 9.

The king's letter about a Greek preſs. Reg. Laud fol. 194. b.

MOST reverend father in God, right truſty and right entirely beloved counſellor, we greet you well. Whereas our ſervant Patrick Young, keeper of our library, hath lately with great induſtry and care published in print an epiſtle of Clemens Romanus in Greek and Latin, which was never printed before, and hath done this to the benefit of the church, and our great honour, the manuſcript, by which he printed it, being in our library; and whereas we further underſtand that the right reverend father in God Auguſtin, now biſhop of Peterborough, and our ſaid ſervant Patrick Young, are reſolved for to make ready for the preſs one or more Greek copies every year, by ſuch manuſcripts as are either in our library, or in the libraries of our univerſities of Oxford and Cambridge, or elſewhere, if there were Greek preſſes, matrices, and mony ready for the work; which pains of theirs will tend to the great honour of our ſelf, this church, and nation; we have thought good to give them all poſſible encouragement herein, and do therefore firſt require you, that the fine lately impoſed by our high commiſſioners upon Robert Barker and Martin Lucas for baſe and corrupt printing of the Bible, being the ſum of three hundred pounds, be converted to the preſent buying of ſuch and ſo many Greek letters and matrices, as ſhall be by you thought fit for this great and honourable work. And our further will and pleaſure is, that the ſaid Robert Barker and Martin Lucas, our patentees for printing, which either now are, or ſhall hereafter ſucceed them, being great

gainers by that patent, which they hold under us, ſhall at their own proper coſts and charges of ink, paper, and workmanſhip, print, or cauſe to be printed in Greek, or Greek and Latin, one ſuch volume in a year, be it bigger or leſs, as the right reverend father aforeſaid, or our ſervant Patrick Young, or any other of our learned ſubjects ſhall provide and make ready for the preſs, and ſhall print ſuch a number of each copy, as yourſelf, or your ſucceſſors for the time being, ſhall think fit; and all this they ſhall perform, whether the ſaid copy or copies be to be printed in London, Oxford, or Cambridge, which ſhall be left free to their judgments and deſire, whoſe pains prepare the copy or copies for the preſs. And laſt of all, our further will and pleaſure is, that the aforeſaid patentees do without any delay procure ſuch, and ſo many matrices and letters, as aforeſaid, that no hindrance be put upon the work, and that they be at the charge of printing in the mean time with ſuch letters, as are already in the kingdom. Of all which or any other neceſſary circumſtances for the furtherance of this work, we ſhall not fail to call for a ſtrict account from you; and therefore do look that you call for as ſtrict a one from them: provided always, that it ſhall be, and remain in your power to mitigate their fine aforeſaid, according as you ſhall ſee their diligence and care for the advancing of this work. Given under our ſignet at our palace of Weſtm. the 13th day, of January, in the ninth year of our reign.

The archbiſhop of Canterbury's letter about the ſame. Ibid. fol. 195. b.

"SALUTEM in Chriſto." After my hearty commendations etc. Theſe are to let you know, that his majeſty takes ſpecial care of furniſhing of a Greek preſs, that ſuch of his ſubjects as are learned in that language, may have means to ſet forth ſuch manuſcripts as are in his majeſty's library, or in either of his univerſities; a thing greatly tending to the honour of the kingdom, and the good of the church; and becauſe you have been faulty in the Engliſh print, with which you are truſted, his majeſty is reſolved your fine ſhall be converted to buy matrices, and letters etc. for the Greek. And further, becauſe the patent, which you hold under him by his gracious favour, is a thing of great profit to you, he expects that you, and all that ſucceed you in the enjoying of that, or the like patent for the preſs, ſhall at your own and your ſucceſſors proper coſts and charges, print, or cauſe to be printed one volume every year, of what bigneſs ſoever it be, in Greek, or

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Greek and Latin, if the reverend father in God Auguſtin, lord biſhop of Peterborough, or Mr. Patrick Young, his majeſty's library keeper, or any other of his majeſty's learned ſubjects provide it, and make it ready for the preſs, as you will ſee more particularly and at large by his majeſty's letters themſelves directed unto me, which here follow in theſe words: Moſt reverend father in God, etc. "ut ſupra," I doubt not, but that having taken theſe his majeſty's moſt gracious letters into your due and dutiful conſideration, you will apply yourſelves with all care and diligence to give his majeſty all ſatisfaction herein, in which I aſſure you his majeſty will not be pleaſed with any delay, knowing that there will be a copy ready for the preſs, before you can be ready with letters and other things neceſſary. Theſe are therefore to pray you, that you preſently furniſh yourſelves with all things neceſſary, eſpecially matrices and letters of all ſorts, for the work

aforeſaid,

6 H

aforesaid, that I may be able to give his majesty such an account, as he professes he will require of me, and that you give me your answer in writing, what obedience you will yield to these his majesty's directions; of which I

pray you not to fail. So I bid you farewell, and rest

Your loving friend,

Lambeth January 18.
M.DC.XXXIII.

W. CANT.

Archiepisc. Cant.
GUIL. LAUD I.

Anno Christi
1633.

Reg. Angliae.
CAROL. I. 9.

An answer to the archbishop of Canterbury's letter about the Greek press.

Reg. Laud fol. 195. a.

May it please your grace.

WE account it so great a happiness, after our troubles, that his majesty is well pleased to command us in the Greek impress, and to esteem us worthy to be employed therein, that with all alacrity and humble obedience we are ready to endeavour to our uttermost, and with all possible speed to provide all things necessary for that employment; and to that end we are not only labouring already forthwith to find out the best fount and matrices, and to purchase the same at what cost soever, but also

to furnish ourselves with paper of the best sorts and sizes for the better performance of the work, and doubt not but to give his majesty and your grace, and all that shall travel in the same, good satisfaction therein, and to be speedily ready to begin it at either of the universities, or where your grace shall direct us, to be most convenient; resting

Your grace's poor humble servants,

January 27.
M.DC.XXXIII.

ROBERT BARKER,
MART. LUCAS

The archbishop of Canterbury's letter for a contribution to St. Pauls. Ibid. fol. 195. b.

"SALUTEM in Christo." My very good lord. Your lordship cannot but know, that his majesty taking into his princely care the decayed and ruinous estate of the cathedral church of St. Paul in London, was graciously pleased not many years since to grant a commission towards the repair thereof; the copy of which, being first drawn by his majesty's Attorney general, was afterwards reviewed by my lord keeper, and by the joint consent of my predecessor, and all the lord's of his majesty's most honourable privy council: it was then thought fit, that the clergy, bishops and deans excepted, which give annually, should contribute together with the laity, to the end that their good example might the better move them to the furtherance of so necessary and pious a work. But this course, it seems, took not that good effect which was wished, divers of the clergy disliking it: wherefore upon the renewing of the said commission, it is thought expedient to alter the former way, and to leave the clergy wholly to their ordinary, not doubting, but that by your lordship's good example

and persuasion they will be very forward in advancing that good work. These are therefore heartily to pray your lordship to take special care herein, and by yourself or your archdeacons to call the clergy of your diocese together accordingly at such time or times, as your lordship shall approve to be most convenient, and to give them thanks, that have already contributed, not pressing any man beyond that which he shall please voluntarily and cheerfully to give. So assuring myself that you will use all effectual means with those of your lordship's diocese of London, and that they of themselves will be very ready to give their utmost assistance to a work of that nature and consequence, that so nearly concerns the service of God, and the honour of this church, and nation; with remembrance of my love, I leave you to God's grace, and rest

Your lordship's very loving friend and brother,

Lambeth house Januar.
ult. M.DC.XXXIII.

W. CANT.

The king's letter to the merchants for bringing in of Arabic books. Ibid. fol. 196. a.

TRUSTY and well beloved, we greet you well, etc. We have of late taken into our princely care how to furnish a Greek press within our kingdom, that such of our subjects, as are learned in that language, might be able to set forth some of those divers manuscripts in Greek, with which our own library and the libraries in our universities are well furnished; which course, if it be well followed, as we doubt not but it will, must needs bring in a great deal of profit and honour both to church

and state. With the consideration of this concerning the Greek, we took into our care also a great difficulty, which yet we conceive may be well mastered, if it be providently looked unto. There is a great deal of learning, and that very fit and necessary to be known, that is written in Arabic, and there is a great defect in both our universities; very few spending any of their time to attain to skill either in that or other eastern languages; which we impute not so much to the fault of the students there, as partly

partly to the great scarcity and want of Arabic and Persian books, in which they might spend their pains; and partly to their lack both of opportunity and means to provide themselves with such books. While we took this into our royal consideration, and withal how useful and necessary the knowledge of those languages would be for our subjects; we could not but think and advise, which way some better store of Arabic and Persian books might be gotten and brought unto us. After long deliberation, we could not find any way so good and likely to be successful, as the employing of your service which trade thereabout; and because we could do it with little or no burthen at all unto you, we have thought of this course, which we pray and require you to follow carefully and with effect; namely, that every ship of yours at

every voyage that it makes, should bring home one Arabic or Persian book to be delivered presently to the master of the company, and by him carried or sent to the lord archbishop of Cant. for the time being, who shall dispose of them as we in our wisdom shall think fit. And we doubt not, but you will be careful at all times readily to perform this service, which so much tends to our own honour, the advancement of learning, and the good of our people (the value of one book being not a considerable thing) and always provided that they bring any other books, besides the Alkorans, because we have choice of them already. Given under our signet at our palace of Westm. the —day of February, in the ninth year of our reign.

Archiepisc. Cant.
GUIL. LAUD I.

Anno Christi
1633.

Reg. Angliae
CAROL. I. 9.

The difference between the archbishop of Canterbury and bishop of Lincoln about visitation. Reg. Laud fol. 112. b.

To the right worshipful his very worthy friend William Noye, Esq; his majesty's Attorney general. With my heartiest commendations and respects unto you, I beseech you to be pleased to bestow a little pains in composing a difference between, not the bishop, but the bishoprick of Lincoln, and my lord's grace of Cant. concerning a metropolitanical visitation, which I being thereunto fairly and justly invited by his grace, do very willingly submit unto your opinion, as of one most able and likely to limit out those rights and privileges in either see, which shall be esteemed the more behoveful for the service of his most excellent majesty, the indubitate sovereign lord and patron of both churches.

I am very unwilling to dispute his grace's right of visiting my diocese, as well as any other of his province metropolitanically; however it may appear that my predecessors have questioned the same in all ages, not only by the records of Cant. and Lincoln, but also by several books in print, which your self may have perused, as "Math. Paris. Antiquitates Britannicae, Harpsfeild's Ecclesiastical history, and Godwin," and divers others.

Nor am I so versed in antiquity as to be able to give a reason hereof, save only this, that metropolitanical visitations have not been of use in England, as long as in other parts of Christendom, and were conceived at first to be encroachments, and that the bishops of Lincoln heretofore were great men, and the bishoprick great in means and extent, as containing all or most of the kingdom of the Mercians, no way subordinate to those other kingdoms, where the archbishoprick was then seated. And when this see was removed from Dorchester, the principal abode of the bishop was fixed in Lincolnshire, most of which county was of the jurisdiction of the archbishop of York; the which jurisdiction William Rufus bought from the archbishop with

change of lands, and Bloet, bishop of Lincoln, from the king with ready money, as appears by good records. However certain it is, that in Groshead's time this bishoprick had never been metropolitanically visited, but that upon a noise of such an intention in the archbishop, he procured a bull to free all the dioceses in the province from the like innovations, otherwise than with consent of the suffragans themselves, which bull is recorded in many registries of this province.

Long after Grosheads age the diocese hath been sometimes visited, but never without opposition of the bishops for the time being, by appeals, and otherwise; howbeit the archbishops had strengthened themselves with papal bulls, royal mandates, and legatine powers, to the which only the bishops submitted; and yet was not the episcopal jurisdiction inhibited or taken away, which is no legal part of a visitation, but a late incroachment of the subordinate visitors, in any one of all those metropolitanical, or rather papal, royal, and legatine visitations, ut apparet apud acta.

Marry for this last hundred years, a little after the beginning whereof, to wit in primo of Edw. VI. the lands and means being taken away from this bishoprick, and the bishop left to live upon the fines of testaments and jurisdiction, for which he payeth first fruits, tenths, and subsidies, no one archbishop did ever offer to visit this diocese until this present year; so that all the visitations attempted upon this diocese quocunque titulo, fall out to be between the year M.ccc.xix. and the year M.d.xxxiv. There was not any one before or any one after, and in that space of time of seventeen archbishops of Cant. scarce five did upon any title or pretence whatsoever offer to visit the diocese of Lincoln, save in vacations only; and these particulars, if you shall hold them material shall be made good by books and records.

Now

488 *Difference between the archb. of Cant. and the bp. of Lincoln.*

Now my humble suit unto his grace is not to renounce his right of metropolitanical visitation, but to qualify and sweeten the same with some one or other of these modifications, which I conceive to be according to the laws ecclesiastical.

I. That when his grace doth visit, he would be pleased, as he hath already received his majesty's direction for it, to take also his majesty's letter, as archbishop Cranmer did, to assist the same, whereby both our rights may be saved and preserved.

II. That his grace would forbear it for this year, in regard it is my triennial visitation, at which time I am informed the canon-law directs archbishops to spare the visiting metropolitanically.

III. That if his grace would not be pleased to put it off until the next year, his grace would not take it amiss, that I visit likewise, and hold my triennial; because I am informed the law is clear for me in this point also.

IV. And lastly, that whensoever my lord archbishop shall visit, he would be graciously pleased not to inhibit me the exercise of my jurisdiction, there being, as I am informed, no

law at all to warrant that course; and the practice in this diocese being to the contrary, as I will make good by the acts sped and dispatched by the bishop of the diocese in the times of every one of those former pretended visitations: and if it should be otherwise, as my bishoprick now stands endowed and conditioned, I shall neither be enabled by my bishoprick to maintain my family, nor yet to pay unto his most excellent majesty my tenths and subsidies.

All which notwithstanding, I do most willingly submit to your judgment and knowledge in both laws, and unwilling to give my lord's grace, whom I find my very good lord, the least distaste or umbrage by any action of mine, do earnestly intreat you, to make a speedy end thereof, whereby you shall oblige me to remain

Your very assured poor friend to serve you,

From my poor house at
Buckden this 7th of
March, M.DC.XXXIII.

JO. LINCOLN.

Archiepisc. Cant.
GUIL. LAUD. 1.

Anno Christi
1633.

Reg. Angliae
CAROL. I. 9.

The archbishop of Canterbury's letter to William Noye Esq; Reg. Laud fol. 112. b.

Worthy Sir,

I FORESEE there are some troubles likely to arise about my metropolitanical visitation; my lord the bishop of Lincoln and myself differing as yet in some circumstances about it; but by a letter which I lately received from his lordship, I understand that he hath referred the examination of his right in this business to you, and so shall I mine too with all my heart; praying you, that you will take some time, betwixt this and the next term, for the perusal of our records on both sides; and whatsoever you shall

find to be just and fitting, I shall promise for my part very readily to yield unto; yet as I would be loth to offer wrong to his lordship's lawful jurisdiction in any thing, so I am resolved to defend and maintain the ancient rights of my archbishoprick, as far as in me lieth, to the uttermost; and I doubt not but herein you will give me all just assistance. So I leave you to the grace of God, and rest

Your very loving friend,

Lambeth March 12.
M.DC.XXXIII.

W. CANT.

Archiepisc. Cant.
GUIL. LAUD. 1.

Anno Christi
1634.

Reg. Angliae
CAROL. I. 9.

The Attorney general's opinion about the visitation. Ibid. fol. 113. a. b.

WHERE the most reverend father in God William, by divine providence archbishop of Cant. primate of all England and metropolitan, intending the metropolitanical visitation of his province of Cant. some question did arise between the said most reverend father, and the right reverend father in God John, lord bishop of Lincoln, concerning that visitation within the diocese of Lincoln; and both of them willing to preserve the rights of their churches, but especially for preservation of peace, the said lord bishop of Lincoln by his letters of the 7th of this instant March required me William Noye to bestow my pains in composing that difference, and that his lordship being thereunto fairly and justly invited by his grace, did very willingly submit unto my opi-

nion; and his grace by his letters of the 12th of this instant required me to do the like, and to take some time between that and the then next term for perusals of their records on both sides, promising to yield unto that which I shall find just and fitting, as by the said several letters more at large appeareth; albeit I found myself unmeet for the deciding of questions of such moment, yet for conservation of peace in those churches, being of his majesty's foundation, and to preserve suits in law, which might tend to the trouble of both parties, and wherein sometimes the victory is more sought after than the truth, and may occasion some breach of brotherly charity, I consented to take the pains, to hear what should be alledged on either part, and did desire that upon Thursday the

the twentieth of this month, their officers and ministers would produce, what they had to shew touching the premisses; at which time they were pleased to repair to my chamber at Lincoln's Inn, and brought with them sundry registers, ancient, and of later times, divers books of history and of the canon law, and most of that day, and of the Friday following was spent in debate of sundry matters concerning the metropolitical visitation intended by his grace within the diocese of Lincoln. Wherein one question moved was; whether the archbishop of Cant. may metropolitically visit the diocese of Lincoln, or whether that diocese be free from such visitation? Wherein I endeavoured to inform myself of the fact; and it appeareth as well by divers authors of history, and registers, both of the said archbishoprick, and also of the said bishoprick, that the archbishops of Cant. in several ages had metropolitically visited the churches, and peoples clerks, and lay in that diocese of Lincoln, and therein did that which pertained to their order, as ordaining of priests, deacons, dedications, etc. as to jurisdiction, both voluntary, as institutions to churches, and litigious, and avoked the causes of that consistory; of which the last visitation shewn was by that reverend prelate Thomas Cranmer, archbishop of Cant. in the year M.D.XXXIV. at which time he had the king's letters of attendance, and for freeing of that diocese from visitation metropolitical no exemption or title was produced. But on the behalf of the lord bishop of Lincoln it was shewn, first, that there were some provocations from some of the visitations when they were attempted; but upon view of the acts and remembrance of the said visitations registred, it appeareth, that the archbishop did nevertheless visit, and that at that last visitation appearing the then lord bishop of Lincoln, with protestation of saving of his rights, did undergo the visitation; and it was observed that when a metropolitical visitation was intended in the vacancy of the bishoprick of Lincoln, and mandates were directed to the dean or president of the chapter, the dean and chapter appealing they did not suggest any exemption or immunity, but alleged want of due form in the mandate. And it appeareth by sundry records, that many other bishops by provocation and other means did endeavour to withstand the metropolitical visitations of the archbishop of Cant. as Exon, Sarum, etc. which were nevertheless after visited. Secondly, on the behalf of the lord bishop of Lincoln it was insisted upon, that the church and diocese of Lincoln was discharged of metropolitical visitation by prescription of one hundred years, incurred sithence the last visitation; but upon computation it is manifest that the hundred years sithence that visitation are not since elapsed; but then it was alleged that one hundred years were elapsed between the time of the visitation metropolitical of Thomas Cranmer, and the next precedent metropolitical visitation, which was in the year of our lord M.CCCC.XXIV. by Henry

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Chicheley, then archbishop of Cant. but seeing that the bishop and church and diocese of Lincoln did afterwards undergo a visitation, taking no advantage of that prescription, and the then bishop and his successors have taken oath to defend the rights of the church of Cant. and as all the acts of the visitations are not registred, so it may be that the books and registers of them are lost; I was and am of opinion, that the lord archbishop of Cant. of right ought to visit metropolitically the said church and diocese of Lincoln, as he ought to do other churches or dioceses of his province. Also I am of opinion; that although a third may prescribe to visit against both archbishop and bishop, neither the lord bishop, or church, or diocese of Lincoln, or any diocese within the province of Cant. can prescribe to be exempt from the metropolitical visitation of the metropolitan; for that the right to visit metropolitically is of common right incident to the archbishoprick, not merely of custom; and it concerns the public peace of the church, that the several dioceses be visited by the metropolitan. Then was it alleged, that albeit the lord archbishop of Cant. may visit the diocese of Lincoln, yet he ought not to have procurations; any title of this exemption peculiar to that diocese of Lincoln was not produced; and I am of opinion, that that, or any other diocese cannot prescribe in not payment of such procurations, for they are necessarily incident to the office of visiting. But on the behalf of the said lord bishop of Lincoln, there was produced a copy of a bull of Innocent IV. bishop of Rome of the year M.CC.LIV. directed to the clergy of the province of Cant. wherein it is declared, that in churches secular not collegiate, procurations from thence should not be paid. Upon consideration of which, finding that it concerned not the diocese of Lincoln alone, but all the dioceses within the province of Cant. and that the use hath been, that at all the metropolitical visitations procurations have been paid not only by churches regular, secular, and collegiate, but also by churches secular, parochial, not collegiate; and finding that divers ordinances of councils and bulls papal, especially concerning causes of profitable interest have obtained no other force in England, but as they have been received; and being received they become of force, not only by virtue of the command but by the assent of the parties interested; and this bull, if any such be, having not been in use so long time, might have been by sundry means abrogated; I am of opinion, that this notwithstanding, procurations ought to be paid to the lord archbishop in his metropolitical visitation. Then was it alleged on the behalf of the lord bishop of Lincoln, that where the bishop of common right may visit annually, now in that diocese the archdeacons visit two years, and the lord bishop visiteth only triennially, which is by some composition long sithence had between them, and the year present is the time of the lord bishop's triennial visitation, and that therefore in that time the lord archbi-

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shop may not visit metropolitically; upon consideration whereof, and perceiving by the registries of the bishoprick of Lincoln, that the archdeacons did not exercise the total jurisdiction of the bishop; I am of opinion, that by such composition, the archbishop may not be restrained to make election of his time of visiting; and by this occasion the lord bishop may not in this year exclude the archbishop more, than the archdeacons may in any other year; and the rather, for that the archbishop is but once to visit in this manner, and the lord bishop may have another meet time of visitation. Then occurred one other question, which was this; admitting the lord archbishop might visit the diocese of Lincoln metropolitically, and that he ought to have the procurations, and that he may so visit in the year, wherein the bishop is to make his triennial visitation within his diocese; whether nevertheless the lord bishop of Lincoln may not have a concurrency of jurisdiction with the lord archbishop visiting metropolitically? And on the part of the bishop registers were produced, by which it appeareth, that in the time of several metropolitical visitations the lord bishop of Lincoln did in fact exercise jurisdiction, not only in cases of order, as ordaining priests, giving institution, benediction of regulars, etc. but in other things, probate of testaments, dispensing, etc. only I observed that in the former visitations I find not any inhibitions, saving in the metropolitical visitation of Thomas Cranmer, before mentioned. And when the said church and diocese of Lincoln was metropolitically visited by Thomas Arundell, lord archbishop of Cant. he avocated the causes of the lord bishop's consistory, but no inhibition issued, that I find. And in the time of Thomas Cranmer's metropolitical visitation there was a permission, that the lord bishop of Lincoln might exercise jurisdiction ecclesiastical. How the use hath been in other dioceses, or how this may stand with the ecclesiastical law of this realm, I know not; but regularly, in the presence of the superior the power of the inferior ceaseth: and in our law, commissions in the several counties may not be executed, if the King's Bench happen to be in that county. And if a concurrency of jurisdiction be admitted; manifold inconveniencies will follow; first it may breed confusion in divers things, that may concur at once; as if two patrons present severally two clerks, either upon a day may chance to institute; or the one may happen to prove a will, and the other to pronounce against the same will, and grant administration; the one may condemn, the other absolve of the same crime; a great trouble will fall upon the people of the diocese, the officers and ministers

of either to anticipate the procurations may shorten the visitation, without making due inquisition. The end of visitation is to instruct, to correct, and be informed of the state of the diocese, that the metropolitan being informed of the whole province may render account to his superior, the king's majesty; but if there should be a concurrency, he cannot so well do it. Also it may happen (tho' it be not to be feared in this particular case) that some error or schism is grown into some part of a diocese, either by toleration, or connivance, or negligence of the bishop; if in this case, the bishop by anticipation should here first visit (and it is too great trouble to the people for both to visit successively, for then will both have procurations) that error and schism may still continue and be kept from notice of the archbishop, and by consequence from the king's majesty, the supreme governor. Upon all which I make bold to declare to the lord archbishop, and the lord bishop of Lincoln; first, that the bishop, church, and diocese of Lincoln, and the clergy and laity there ought of right to be metropolitically visited by the lord archbishop of Cant. and are not freed nor exempt from such visitation. Secondly, that the procurations ought of right to be paid to the archbishop visiting metropolitically. Thirdly, the said lord archbishop may of right visit metropolitically as well in the time, when the lord bishop of Lincoln is to make his triennial visitation, as at any other time. Fourthly, I do not take upon me to determine whether by the ecclesiastical law there may be a concurrency of exercise of ecclesiastical jurisdiction in the time of the archbishop's metropolitical visitation; but for the causes before delivered, I think it convenient, and do advise, that if the lord bishop of Lincoln be inhibited during the visitation metropolitical, he forbear to exercise jurisdiction ecclesiastical within his church or diocese, that the visitation metropolitical may be entire, and that his majesty may be fully informed of the state of the church, as well in this as in other dioceses. In witness of all which I have made two parts of these presents of one tenor, and to either of these parts I have subscribed my name, and I have sent the one part of them to the said lord archbishop his grace, and the other part to the lord bishop of Lincoln. Dated the five and twentieth day of March, in the year of the reign of our sovereign lord Charles, by the grace of God king of England, Scotland, France, and Ireland, defender of the faith, etc. the ninth, and in the year of our Lord God M.DC.XXXIV.

WILLIAM NOYE.

Archiepisc. Cant.
GUIL. LAUD I.

Anno Christi
1634.

Reg. Angliae
CAROL. I. 10.

The petition of the churches of foreign nations to king Charles I. Ex Bibl.
Tho. Hales, baronetti.

SIR,

THE churches of foreign nations, which under the grace and support of the princes your predecessors, of blessed memory, have been established, and do at this time, under the like favour of your majesty, subsist in this your realm, having foreseen their dissolution, by reason of an injunction directed by the lord archbishop of Canterbury to the churches of strangers residing within his diocese, do hereby in the persons of their deputies, cast themselves at your majesty's feet, most humbly beseeching, that with the same affection and royal word, with the which it pleased your majesty at your first coming unto the crown, to confirm unto them their privileges, granted them by your predecessors, you would likewise now be pleased to prevent their over just apprehensions of danger, and to hinder the stroke, which so directly aims at their ruin.

The said injunction hath two heads; the one is directed to all such children of strangers, as are born in this kingdom, enjoining them to separate themselves from the congregation of their nation, and to frequent, and apply themselves to the parish churches, where they dwell. The other hath regard to such as are strangers born, who are commanded to quit their ordinary liturgy, and to apply themselves to the liturgy of the church of England.

The first command, Sir, with one blow undermines the very fundamental substance of the said churches; for in as much as the natives in some respects make the greatest part of the same, but in others the least; so it is that generally they make the greatest and most considerable part of the whole, forasmuch as they only are the possessors of any wealth, and by their more than ordinary collections the ministers are not only entertained, but great number of poor people, wherewith they are charged, are fed and nourished; so that if they should retire themselves from their several congregations, the ministers would remain without entertainment, and the poor without relief, and the residue being only composed of artizans, ignorant in the language of the country, and who having no certainty here, whereto they may fix themselves, their abode will consequently prove both uncertain and indifferent, by which means they will be constrained to go seek out other places for their habitations, whereby the exercise of religion being wholly dissolved by the first command, the second command by that means will become void and of none effect.

Your majesty's singular piety is sufficiently known to all, and we have seen with our eyes so many signal effects of your great goodness and natural clemency towards those, who with your majesty profess the same purity of doctrine, that we can never believe you will endure to

see in your reign so great a desolation to arise; that such a number of poor christian people, who having fled the fire, massacres, and persecutions abroad, and being come hither, and here relieved and placed in all safety, as it were in the sanctuary of a temple, should on a sudden be thus cast out, and constrained to go seek elsewhere a place of more assured residence.

That these strange and foreign plants having been formerly by divers outrageous tempests cast upon the shore of this island, and here so carefully gathered up and planted by the good king Edward the sixth, so favourably maintained and manured by the virtuous princess queen Elizabeth, come to perfection and ripeness under the happy and peaceful reign of the great and wise king James, your majesty's father, and at this time flourishing under your own gracious government and protection, should so suddenly be plucked up by the roots, as it were, in blame and reproach of the wisdom and charity of all such, who even to this present time have had regard to their growth and favoured their increase.

That these living monuments erected to the eternal memory of all these good princes, and who publish so highly throughout all the world the fame of their piety, charity, and hospitality towards the afflicted members of the Lord Jesus, should be thus demolished and beaten into powder.

And that these bonds and so express testimonies of the union of this realm in point of religion with the reformed churches of France, Germany, and the Low Countries, until this time so religiously kept and observed, should be suddenly broken and made void; is as it were, the forerunner of a sad and total separation.

These are, Sir, the causes which make us hope, that your majesty will never give way hereunto.

Especially at this time wherein the churches of Germany do even swim in their natural blood, and the churches of France in their own tears, all of them being in the very midst of their ruin, and burthened with the apprehension of a mighty desolation; they have no other but your majesty, unto whom they may turn themselves, and upon whom they may fix their eyes and hopes with any assurance.

What affrights, what despairs will overwhelm their afflicted hearts, when they shall hear that same (which always makes things worse than they are) goes publishing every where, that there are no more churches of strangers in England, that there is there no retreat or support for those, who are persecuted for cause of religion; their afflictions will be redoubled by the reproaches of their enemies, who will shew them, how much they are condemned by their own

own side, and will not fail to tell them (and it may be make them feel) that it stands but with reason and justice, that the papistical princes should persecute and drive them out of their countries, since they cannot be supported by those of their own profession.

We most humbly beseech your majesty, to take the premisses into your good considerations; and as our consciences do give us an assured testimony that our behaviours unto this present day (by the grace of God) hath cleared us from all attainments of the least calumny, whereby as we are not rendered unworthy of the continuation of your majesty's favours so that you would be

pleased upon this occasion to let us feel the effects thereof, and receiving this most humble request, which we present unto your majesty, you would be pleased to answer us as graciously and favourably as formerly you vouchsafed to promise us: that our usages should never be worse under your reign, than it had been under your predecessors; whereby being filled with joy and consolation we may continue our earnest prayers for the long and prosperous reign of your majesty, the good of your state, and the increase of glory and prosperity of your most flourishing and royal progeny.

Archiepisc. Cant.
GUIL. LAUD I.

Anno Christi
1634.

Reg. Angliae
CAROL. I. 10.

King Charles's letter about the repair of St. Paul's London. Reg. Laud fol. 200. a.

CHARLES REX.

MOST reverend father in God, right trusty and right entirely beloved counsellor, we greet you well. You know with what princely care we have hitherto pursued the repair of St. Paul's church in London, and of how great necessity the work is for the church and honour of the kingdom; yet we are not ignorant what jealousies have been cast amongst our loving people by some ill affected persons, both to ourself and that glorious work; to the work, as if it were neither fit nor possible to be compassed; not fit, being a slander upon God's service, and not to be compassed, being a scandal upon the nation; to ourself, as if contrary to our just and princely disposition the work were but pretended by us to get some great sum of money together, and then to turn it to other uses; a thing not more base in itself, than hateful to all our free and princely thoughts, which by God's grace we have hitherto preserved constant and entire to the service of God in all kinds, and by the same assistance, shall least of all bring into suspicion in this. These are therefore to let you know, that against all false and scandalous rumors, we resolve to go really on with this great work; and do further hereby require you cheerfully to continue that care and pains, which you have hitherto taken in the business; and withal to send a copy of these our letters to our trusty

and well beloved, the lord mayor and aldermen of our city of London, that they may both themselves see and inform the city of the clearness and the honour of all our intentions herein. And whereas of our princely bounty we promised five hundred pounds a year towards that work, for the space of ten years, which for these years past we have duly paid into the chamber of London by your hands; these are further to let you know, that we are resolved to enlarge that bounty of ours, and to undertake the whole repair of the west end of that church without having any to share in the honour of that particular with us, which will rise to a far greater sum, than at first we promised, toward which work as we will have the fifteen hundred pounds go, which we have already paid in, so will we also for the future pay all such monies as shall be necessary for it, into the chamber of London, as we have begun, that the clearness of our proceedings, and the fairness of the accompt may appear to all men. And we do hereby require you to call upon our surveyor, to use all care and industry for the setting forward of this work; not doubting but that this our princely example will stir up both them of our city of London, and all other of our loving subjects to enlarge themselves and their bounty towards it. Given under our signet at our palace of Westm. the 23^d day of April in the tenth year of our reign.

The archbishop of Canterbury's letter to the lord mayor about the same.

Ibid. fol. 200. b.

"SALUTEM in Christo." After my hearty commendations, etc. His majesty, out of his princely care, not only of St. Paul's church London but of that city, and the kingdom in general, hath been graciously pleased to write unto me, that against all base and unworthy rumours, he is not only resolute to cause the work to go on, but further to take upon himself and his own charge, the repair of the whole west end of that church, which as it will be a great work in itself, so will it also be an excellent memorial to all posterity of so pious and gracious a

prince. In these his majesty's letters there is an express command upon me, that I should send a copy of them to your lordship, and the aldermen your brethren, that ye may see not the king's bounty only, but the clearness of all his royal intentions in and concerning that pious work; and in obedience to the command which I have received, I here send you a true and perfect copy of his majesty's gracious letters sent to me; not doubting but that you will cheerfully receive them, and cause them to be registered amongst those things, which you keep with greatest

The archbishop's letter to the LORD MAYOR of LONDON. 493

greatest care in that city. And further, I hope this piety and great munificence of his majesty will stir up your lordship, and the rest of that honourable city, to extend your charity, that so the work may go on, to the great honour of your selves, and this whole kingdom. Thus

with my prayers to God, that he would open and enlarge your hearts to this work of his service, I leave you to his grace, and rest

Your lordship's very loving friend,

Lambeth, April 28.
M.DC.XXXIV.

W. CANT.

Archiepisc. Cant.
GUIL. LAUD I.

Anno Christi
1634.

Reg. Angliae
CAROL. I. 10.

King Charles's letter about leases. Reg. Laud fol. 202. b.

MOST reverend father in God, right trusty and right entirely beloved counsellor, we greet you well. We have of late taken the state of our several archbishopricks and bishopricks into our princely consideration, that we may be the better able to preserve that livelyhood, which as yet is left unto them. Upon this deliberation we find, that of later times there hath not risen a greater inconvenience, than by turning leases of one and twenty years into lives; for by that means the present bishop puts a great fine into his own purse to enrich himself, his wife, and children, and leaves his successors, of what desert soever to us, and the church, destitute of that growing means, which else would come in to help them. By which course, should it continue, scarce any bishop would be able to live and keep house, according to his place and calling. We know the statute makes it alike lawful for a bishop to let his lease for one and twenty years, or three lives; but time and experience have made it apparent, that there is a great deal of difference between them, especially in church leases, where men are commonly in great years before they come to those places. These are therefore to will and command you, upon peril of our

utmost displeasure, and what shall follow thereon, that notwithstanding any statute, or any other pretence whatsoever, you presume not to let any lease belonging to your archbishoprick into lives, which is not in lives already; and further, that when any fair opportunity is offered you, if any such be, you fail not to reduce such as are in lives, into years. And we do likewise will and require, that these our royal letters may remain upon record, both with your own register, and with the register of the dean and chapter of your cathedral church at Cant. and that by them notice be given to all your successors respectively, whom we will that these letters shall concern as much as yourself, that they presume not to break any of these our commands in the least manner, as both you and they will answer it at your and their uttermost peril. Given under our signet at our manor of Greenwich the two and twentieth day of June, in the tenth year of our reign.

"Sic indorsatur:" *To the most reverend father in God, our right trusty and right entirely beloved counsellor, William, lord archbishop of Canterbury, primate and metropolitan of all England.*

The archbishop of Canterbury's letter about the same. Ibid. fol. 207. a.

"**S**ALUTEM in Christo." My very good lord. Whereas his majesty in a princely consideration of the several bishopricks of this kingdom hath, amongst others, written to your lordship, to take care that hereafter the lands belonging to your fee be let for one and twenty years, and not for three lives, for the benefit of the church and your successors; I make no doubt, but you will carefully observe that his gracious pleasure; but in that diocese I hold it requisite you enlarge your care concerning the lands of your bishoprick already demised. I pray therefore and do hereby require you to call upon every tenant that holds lands of your bishoprick, that he make a survey of the lands he holds, and set the quantity of acres, the particular names of the closes, and other lands, as they are and have been called, and in what township, parish, or county the same and every part thereof lieth; and if it be possible, that they do this before Michaelmas day next; also that they certify you how long they and their ancestors have held the said lands, now in lease to them; and what houses they, or their ancestors have suffered to decay, and what remain in repair upon the same; and whether the rents

answered unto the bishoprick, be out of the lands they hold by the said several leases respectively, or out of any other lands, held from the archbishoprick, which they do receive of the bishop's freeholders as a chief; and that they express by what right they receive such rents; and how much the rents are, if they be not issuing out of the lands demised unto them. And though this course be taken, yet it is not intended that you shall be concluded hereby, but the end is to prevent the concealment of the church's land, and to discover such as go about to conceal the same: and if you make it appear, that any tenant of your lordship doth hold more lands than he doth acknowledge upon this survey, I will inform his majesty of him, and his course against the church, that such further order may be taken with him as shall appertain to justice. But I hope they will all deal fairly and conscionably with you. Thus recommending to you in this the care both of yourself and successors, I leave you to the grace of God, and rest

Your lordship's very loving friend and brother,

Croydon August 16.
M.DC.XXXIV.

W. CANT.
Expli-

Archiepisc. Cant.
GUIL. LAUD 2.Anno Christi
1634.Reg. Angliae
CAROL. I. 10.*Explication of the king's letter to the archbishop about leases.* Reg. Laud fol. 208. b.

CHARLES REX.

MOST reverend father in God, right trusty and right entirely beloved counsellor, we greet you well. Whereas we did of late direct our princely letters unto yourself, bearing date the two and twentieth day of June last past, as also other our letters to the dean and chapter of your cathedral church, whereby we did expressly forbid the letting of any church-lease, or leases into lives by you, or them, or any of your, or their successors respectively, excepting only such leases as were before the date of those our letters granted for lives; and concerning which we did require both you and every of them by all lawful means to endeavour, that they might be reduced to years again; all which we have done for the great good and advancement of the church, as we doubt not in future times will plainly appear: now, forasmuch as we have been informed, that some, more affecting their present private gain, than the future good of the church, whereof they are members, have misinterpreted those our princely letters, and do conceive that the meaning is to prohibit only the letting of such leases into lives, as are granted by the dean and chapter of any church, by common consent, and that every particular dean, archdeacon, or prebend, who hath any

corpse belonging to his dignity, might notwithstanding dispose of it for lives, without breach of our royal command, as if we would direct our letters to a body in general, and not intend to include every several member thereof; these are therefore to will and require you, that you fail not to signify this explanation of our princely pleasure to your several archdeacons, and to the dean and chapter of your cathedral church, that they may impart it to every prebend; which is, that we do not only lay these our commands upon them, and their successors in general, but likewise upon every particular member of that church, whom they may any way concern, from the highest to the meanest officer in the same, including the vicars choral in what church soever any such body is. And that no doubts further may hereafter be made concerning this matter, we will that these our letters, together with our former, should remain upon record, both in your registry and the registry of the dean and chapter there, that so both they and their successors, from time to time, may take notice of them accordingly, as they will answer the contrary at their utmost perils. Given under our signet at our honour of Hampton court the sixth day of October, in the tenth year of our reign.

The archbishop of Canterbury's letter to the dean and chapter of Norwich.

Ibid. fol. 213. b.

"SALUTEM in Domino." After my hearty commendations, etc. I do very well remember the late alterations of your statutes, and the settlement of them in bishop Harfnet and dean Suckling's time; my predecessor and myself, among other, being employed in that service. At that time it troubled me very much, as it hath since done, upon the consideration of other churches, to see the weakness of that choir, and the small means that was left to make it better, considering that neither the choir, or any thing else in or about the church can flourish without some proportionable reward to service. The good old dean to help things on as far as he might, projected two things; the one was some proportion of corn to be allowed them, which I think was then settled, and I hope continues; the other I do not well remember that it was settled by statute, the more the pity, but it was generally thought fit and approved by all of us, to whom the consideration of the statutes was then recommended; that is, that such small benefices, or cures within the city or suburbs as are in the church's gift, should, as they fell void, be given to the petty canons respectively, and to no other; and that the church should be very careful from time to

time, to chuse such petty canons into vacant places, as might be fit and able to discharge both duties, both to sing in the choir, and to catechise and preach in the parish; this custom of giving those small cures to the petty canons is usual with other churches, where the choir is as mean as yours, and it being help to them, and fit and able men will never be wanting, if this course for their preferment be held constant. I write unto you, because I am informed that there are divers very sufficient men already in expectation of those places, whensoever it shall please God to make any void, so that you need not be to seek to furnish yourselves; but I hear withal there is a purpose amongst some of you without any regard of the honour and good of the church, to bestow these livings, when they fall, upon their private friends, without any respect had to the choir; which, if it be, will utterly overthrow the choir service, and you will not be able to retain either voices or skill amongst you. I would be glad to hope this information were not true, but it is so constantly affirmed to me, that I cannot distrust it altogether. These are therefore to pray and require you to be careful in this business as you have any care of the church's good

The archb. letter to the dean and chapter of NORWICH. 495

good, or of any good opinion that I shall hold of you; and this I assure you, that if I shall find, that you do at any time put other men in those cures, and leave the petty canons destitute to the utter prejudicing of the choir, I shall take all the ways, that wisely I can, to make you see your error; but I hope you will do your duties, and so preserve my love to you and my care for you, which I shall be glad to

extend to the utmost, if you shall make yourselves capable of it. Thus not doubting of your obedience to this direction, I leave you to the grace of God, and rest

Your very loving friend,

Lambeth December 3.
M.D.C.XXXIV.

W. CANT.

Archiepisc. Cant.
GUIL. LAUD 2.

Anno Christi
1634.

Reg. Angliae
CAROL. I. 10.

The answer of the dean and chapter of Norwich. Reg. Laud fol. 214. b.

MOST reverend father and our gracious lord. As we have many ways liberally tasted of your noble favours, so do we most humbly thank you for your late gracious letter, expressing your fatherly vigilance for the good of our poor choir, to the advancement whereof as (according to our duty) we bend our utmost care and endeavour, so by God's help we shall be thereto the more stirred up by your gracious admonition; and withall we most humbly beseech your grace to be persuaded, that tho' some overture hath been made among us to some such purpose, as to your grace hath been suggested, yet we have not hitherto alienated any cure from any of our canons, and so far we are from any such intention, that for the future we are resolved, by God's grace, at our next grand

chapter, the acts whereof by the statutes bind, as the statutes themselves, to settle a particular and perpetual provision for every one of our canons. And thus humbly desiring in this and all other your grace's fatherly directions so to demean ourselves, as may both gain and continue your grace's good opinion of us, and gracious support to our poor church; we bless God for you, and beseech him long to continue you to his glory, the church's good, and your own comfort, and rest most humbly

Your grace's most ready to becommanded,

Jo. Hassal	Samuel Garey
Foulke Roberts	Edmond Porter
Jo. Spendlowe	Edward Yonge
Nich. Howlett.	

The petition of King's college Cambridge to the archbishop of Canterbury about Eaton college. Ibid. fol. 257. b.

To the right honourable and most reverend father in God, William, lord archbishop of Cant. his grace, primate of all England, and metropolitan,

The humble petition of the provost and fellows of King's college in Cambridge.

WHEREAS we are given to understand, that his sacred majesty, out of his gracious care to advance the livelyhood of a poor churchman, hath been pleased to direct his royal letters to the provost and fellows of his college in Eaton, thereby requiring them to chuse into the next fellowship that shall be void, the vicar of the parish church of Windsor, and so successively.

And that we are right well assured, that his majesty according to his perpetual example in that kind will be a most pious and tender conservator of college privileges, especially his own, whereof he is the never dying founder.

And that by the statutes of Eaton, confirmed under the broad seal of England, and likewise most earnestly commended to your grace's patronage as metropolitanical visitor of that college, the rights of those fellowships do to us most properly appertain.

That your grace would vouchsafe your humble supplicants a gracious determination of such statutes of Eaton, wherein they conceive themselves to have been neglected, and also to intercede to his sacred majesty in the behalf of your

petitioners, that the vicar of Windsor may hereafter be chosen out of his college at Cambridge, by which means his majesty's royal pleasure, and our blessed founder's shall be fulfilled to the further benefit of his royal foundation. And so shall we be all bound to pray to almighty God for the long continuance of your grace's health and happiness.

S. Collins, provost.	Grindal Sheaf.
Humfry Bing, vice-provost.	Charles Lisle.
Tho. Rowe.	Henry Edmonds.
Ch. Goad, B. D.	Henry Kent.
J. Cluffe.	Ch. Nevil.
Barnabas Barlow.	Hen. Whiston.
Andrew Harward,	Thomas Page.
S. T. B.	Richard Juxon.
Fr. Good.	John Beale.
Richard Peters.	John Anstye.
Ralph Winterton.	Edm. Woodwike.
Geo. Goad.	Rich. Griffeth.
Nicholas Hobart.	George Dunscomb.
Sa. Wootton.	Will. Bere.
Ric. Daye.	Samson Briggs.
Edw. Hawtree.	Isaac Ollivier.
Will. Day.	Matthew Day.
George Hall.	Joseph Brookes.
Thomas Gouge.	James Knolles.
John Wotton.	Henry Pierce.
Tho. Crouch.	John Waller.
	Thomas Gearinge.

The

Archiepisc. Cant.
GUIL. LAUD 2.

Anno Christi
1634.

Reg. Angliæ
CAROL. I. 10.

The humble petition of the provost and fellows of King's college in Cambridge.

To the king's most excellent majesty,

The humble petition of the provost and fellows of King's college in Cambridge

Sheweth,

THAT whereas your majesty's royal predecessor Henry the sixth, of blessed memory, hath erected two colleges, the one at Cambridge, the other at Eaton, and transmitted them by the letter of their several statutes to your majesty's sovereign protection, as to their living founder; unto both which he gave names, revenues, and immunities alike, intending the one as a nursery to the other, and commanded that there should ever be a mutual tie of love and amity between them, which your majesty's humble petitioners, for their parts, have always been most careful to observe; but do conceive themselves to have suffered much wrong from their sister foundation in many things, but most apparently in the choice of the fellows there.

And whereas at this present the most reverend father in God the lord archbishop of Cant. his grace hath begun his metropolitical visitation of that college; may it please your most gracious majesty in tender consideration of the premises, to recommend the examination, and exposition of their statutes, and final determination of all other causes, as may concern the peace and amity of both societies, to the said most reverend father, that so some binding order may be settled in this his grace's visitation, for the future good and peace of both the said colleges, according to their founder's most royal and pious intentions.

And your majesty's poor petitioners, as in

duty bound, shall ever pray, etc.

S. Collins, provost.	Charles Nevil.
Hen. Bing, viceprovost.	Robert Newman.
Tho. Rowe.	Tho. Page.
Ch. Goad, B. D.	Ric. Juxon.
J. Cluffe.	John Beal.
Ric. Peters.	John Anstye.
R. Winterton.	Edm. Woodwike.
Geo. Goad.	Ric. Griffith.
Nich. Hobart.	Will. Bere.
Sam. Wootton.	Will. Fairebrother.
Edw. Hawtrej.	Isaac Ollivier.
Geo. Hall.	Matthew Day.
John Wotton.	George Dunscomb.
Tho. Crouch.	James Knolles.
Grindal Sheaf.	Samson Briggs.
H. Edmonds.	Henry Pierce.
Hen. Kent.	Tho. Gouge.
Ric. Daye.	John. Waller.
John Jones.	Tho. Gearinge.

At the court at Whitehall 30th November,
M.DC.XXXIV.

His majesty's pleasure is, that the lord archbishop of Cant. his grace shall in this his metropolitical visitation examine and expound all those statutes, concerning which any doubts may arise betwixt the two colleges, to hinder their mutual tie and bond, which being established by his majesty's predecessors, his majesty is careful to preserve; and also that his grace shall finally determine with some binding order all other causes, which may concern the peace and amity of both societies, in such manner as his grace shall think it fit, and agreeable to justice.

FRAN. WINDEBANK.

Constitutions, and canons ecclesiastical treated upon by the archbishops and bishops, and the rest of the clergy of Ireland; and agreed upon by the king's majesty's licence in their synod begun and holden at Dublin anno Domini M.DCXXXIV. and in the year of the reign of our sovereign lord Charles, by the grace of God king of Great Britain, France, and Ireland, the tenth.*

CHARLES, by the grace of God king of England, Scotland, France, and Ireland, defender of the faith, etc. to all men, to whom these presents shall come, greeting. Whereas our

bishops, deans of our cathedral churches, archdeacons, chapters, and colleges, and the rest of the clergy within our kingdom of Ireland were summoned and called by virtue of our

* Nullam, quod scio, unquam canonum horum Hibernorum historiam inveni typis expressam; defectum hunc amicus Dublinensis in epistola quadam mihi inscripta, supplevit his verbis: Anno M.DC.XIII. was held the first regular parliament in Ireland, lord Chichester being governor; when a convocation was called, wherein Dr. James Usher was appointed to draw up articles of religion for the church of Ireland. In the articles drawn up by him he inserted the Lambeth articles, which were confirmed and printed M.DC.XV. and were received as the articles of the church till the year M.DC.XXXIV. when lord Strafford, then governor of Ireland, sent the first canon ready fair drawn to Dr. Lesly, the prolocutor, inclosed in a letter in these words:

Mr. PROLOCUTOR,

I send you here inclosed the form of a canon to be passed by the votes of the lower house of convocation, which I require you to put to the question for their consents, without admitting any debate or other discourse; for I hold it not fit

Writs

writs directed to the archbishops of the four several provinces, and bearing date the four and twentieth day of May, in the tenth year of our reign, to appear before the said archbishops in the cathedral church of St. Patrick Dublin, upon the one and twentieth day of July then next ensuing, then and there to treat and conclude upon certain high and urgent affairs in the said writs mentioned; who did thereupon at the time appointed, and in the said cathedral church of St. Patrick aforesaid, assemble themselves, and appear in convocation for that purpose, according to the tenor of the said writs. And whereas we for divers urgent and weighty occasions, us thereunto moving, of our especial grace, certain knowledge, and meer motion, did by virtue of our prerogative royal and supreme authority in causes ecclesiastical, give and grant by our letters patents under our great seal of Ireland, bearing date the one and twentieth day of July, in the tenth year of our reign, full power and authority unto the said archbishops, bishops, deans, archdeacons, chapters, colleges, and clergy of this kingdom, then assembled in convocation in the said cathedral church of St. Patrick, that they from time to time during the parliament then begun at Dublin, might confer, treat, consult, and conclude of and upon such articles, canons, orders, ordinances, statutes, and constitutions ecclesiastical, as they shall think necessary, fit, and convenient for the honour and service of almighty God, and augmentation of his divine worship, the rooting out of heresies and errors out of the vineyard of Christ, for the procuring of the good and quiet of the church, and preservation of good government in causes ecclesiastical, and to the jurisdiction of the church belonging, as also to make and set down ordinances and decrees, to have such force and effect, as other canons and constitutions of the church have, and the same (our royal assent being thereunto first had and obtained) to set forth and publish freely and lawfully, and that as well the archbishops and bishops, and all other inferior persons, whom it may concern, should yield due obedience thereunto, as in and by our said letters patents more at large it doth and may appear; forasmuch as the said archbishops, bishops, deans, archdeacons, chapters, and colleges, with the rest of the clergy of this kingdom, having met together at the time and place before mentioned, and then and there by virtue of our said authority granted unto them, have treated of, concluded, and agreed upon certain canons, orders, ordinances, and constitutions, to the end and purpose by us limited and prescribed unto them, and have thereupon

offered and presented the same unto us, most humbly desiring us to give our royal assent unto their said canons, orders, ordinances, and constitutions, according to the form of a certain statute or act of parliament made in that behalf, and by our said prerogative royal, and supreme authority in causes ecclesiastical to ratify by our letters patents under our great seal of Ireland, and to confirm the said canons, being one hundred in number, and contained in a book, entituled Constitutions and canons ecclesiastical treated upon by the archbishops and bishops, and the rest of the clergy of Ireland, and agreed upon with the king's majesty's license in their synod, begun at Dublin anno Dom. M.DC.XXXIV. and in the year of the reign of our sovereign lord Charles, by the grace of God king of Great Britain, France, and Ireland, the tenth, which book is remaining with John Forth, clerk of the upper house of convocation: we of our princely inclination and royal care for the maintainance of the present estate and government of the church of Ireland, by the laws of this our realm now settled and established, having diligently with great contentment and comfort read and considered of all these their said canons, orders, ordinances, and constitutions agreed upon, as is before expressed, and finding the same such as we are persuaded will be very profitable not only to our clergy but to the whole church of this our kingdom, and to all the true members of it, if they be well observed; have therefore for us, our heirs, and lawful successors, of our special grace, certain knowledge, and meer motion, by the advice and consent of our right trusty and right well beloved cousin and counsellor Thomas, viscount Wentworth, our deputy general of our said kingdom of Ireland, and president of our council established in the north parts of our kingdom of England, given, and by these presents do give our royal assent according to the form of the said statute or act of parliament aforesaid, to all and every the said canons, orders, ordinances, and constitutions, and all and every thing in them contained. And furthermore, we do not only by our said prerogative royal, and supreme authority in causes ecclesiastical, ratify, confirm, and establish by these our letters patents the said canons, orders, ordinances, and constitutions, and all and every thing in them contained, as is aforesaid; but do likewise propound, publish, and straitly enjoin and command by our said authority, and by these our letters patents the same to be diligently observed, executed, and equally kept by all our loving subjects of this our kingdom, in all points wherein they do, or may concern

nor will suffer that the articles of the church of England be disputed. Therefore I expect from you to take only the voices consenting or dissenting, and give me a particular account, how each man gives his vote. The time admits no delay, so I further require you to perform the contents of this letter forthwith, and so I rest

Dublin-Castle the 10th of
December M.DC.XXXIV.

Your good friend,

WENTWORTH.

The result was; that the canon passed, one only opposing it. By that canon it is thought that Dr. Usher's articles were annulled without noise, and the 39 articles of the church of England made the articles of the church of Ireland.

every or any of them, according to this our will and pleasure hereby signified and expressed. And that likewise for the better observation of them, every minister, by what name or title soever he be called, shall in the parish church or chapel where he hath charge, read all the said canons, orders, ordinances, and constitutions, once every year, upon some Sundays or holydays, in the afternoon before divine service; dividing the same in such sort, as that the one half may be read one day, and the other another day. The book of the said canons to be provided at the charge of the parish, betwixt this and the feast of Easter next ensuing. Straitly charging and commanding all archbishops, bishops, and all other that exercise any ecclesiastical jurisdiction within this realm, every man in his place to see and procure (so much as in them lieth) all and every of the same canons, orders, ordinances, and constitutions, to be in all points duly observed, not sparing to execute the penalties in them severally mentioned upon any that shall wittingly or wilfully break or neglect to observe the same, as they tender the honour of God, the peace of the church, tranquillity of the kingdom, and their duties and service unto us their king and sovereign. In witness, etc.

I. Of the agreement of the church of England and Ireland in the profession of the same christian religion.

For the manifestation of our agreement with the church of England in the confession of the same christian faith, and the doctrine of the sacraments; we do receive and approve the book of articles of religion agreed upon by the archbishops and bishops, and the whole clergy in the convocation holden at London in the year of our lord God M.D.LXII. for the avoiding of diversities of opinions, and for the establishing of consent touching true religion. And therefore if any hereafter shall affirm that any of those articles are in any part superstitious or erroneous, or such as he may not with a good conscience subscribe unto, let him be excommunicated, and not absolved, before he make a public revocation of his error.

II. The king's supremacy in causes ecclesiastical to be maintained.

All ecclesiastical persons having cure of souls, and all other preachers, and readers of divinity lectures, shall to the uttermost of their wit, knowledge, and learning, purely and sincerely, without any colour or dissimulation, teach, manifest, open and declare four times every year at the least, in their sermons, and other collations and lectures; that all usurped and foreign power, forasmuch as the same hath no establishment nor ground by the law of God, is for most just causes taken away and abolished; and that therefore no manner of obedience or subjection within his majesty's realms and dominions is due unto such foreign power; but that the king's power within his realm of Ireland, and all other his dominions and countries, is

the highest power under God, to whom all men, as well inhabitants as born within the same, do by God's laws owe all loyalty and obedience, and to no other foreign power and potentate in the earth. And whosoever shall hereafter maintain, that the king's majesty hath not the same authority in causes ecclesiastical, that the godly kings had amongst the Jews, and christian emperors in the primitive church, or impeach in any part his regal supremacy in the said causes restored to the crown, and by the laws of this realm therein established, let him be excommunicated, and not restored but only by the archbishop of the province, after his repentance, and public revocation of his error.

III. Of the prescript form of divine service contained in the book of common prayer.

That form of liturgy or divine service, and no other, shall be used in any church of this realm, but that which is established by the law, and comprised in the book of Common Prayer and administration of the sacraments. And if any one shall preach, or by other open words declare or speak any thing in the derogation or despising of the said book, or of any thing therein contained, let him be excommunicated, and not restored, until he repent and publicly revoke his error.

IV. Of the form of consecrating and ordering archbishops, bishops, etc. and of the churches established according to that order.

That form of ordination, and no other, shall be used in this church, but that which is contained in the book of ordering bishops, priests, and deacons, allowed by authority, and hitherto practised in the churches of England and Ireland. And if any shall affirm, that they who are consecrated or ordered according to those rites, are not lawfully made, nor ought to be accounted either bishops, priests, or deacons; or shall deny that the churches established under this government are true churches, or refuse to join with them in christian profession, let him be excommunicated, and not restored, until he repent and publicly revoke his error.

V. Authors of schism and maintainers of conventicles censured.

Whosoever shall separate themselves from the communion of saints, as it is approved by the apostles rules in the church of Ireland; and combine themselves together in a new brotherhood (accounting the christians, who are conformable to the doctrine, government, rites and ceremonies of the church of Ireland, to be profane and unmeet for them to join with in christian profession) or shall affirm and maintain, that there are within this realm other meetings, assemblies, or congregations, than such as by the laws of this land are held and allowed, which may rightly challenge to themselves the name of true and lawful churches, let him be excommunicated, and not restored, until he repent and publicly revoke his error.

VI. Due

VI. *Due celebration of Sundays and holydays.*

All manner of persons shall celebrate and keep the Lords Day, commonly called Sunday, and other holydays, according to God's holy will and pleasure, and the orders of this church; that is, in hearing the word of God read and taught, in private and public prayers, in acknowledging their offences to God, and amendment of the same, in reconciling themselves charitably to their neighbours, where displeasure hath been, in oftentimes receiving the communion of the body and blood of Christ, in visiting the poor and sick, using all godly and sober conversation.

VII. *The prescript form of divine service to be used on Sundays and holydays with all decency and due reverence.*

Every Sunday and holyday the parsons, vicars, and curates shall celebrate divine service at convenient and usual times of the day, and in such place of every church, as the bishop of the diocese, or ecclesiastical ordinary of the place shall think meet, for the largeness or straitness of the same, so as the people may be most edified. All ministers likewise shall use and observe the orders, rites, ornaments, and ceremonies prescribed in the book of Common Prayer, and in the act for uniformity printed therewith, as well in reading the holy scriptures, and saying of prayers, as in administration of the sacraments; without either diminishing in regard of preaching, or in any other respect, or adding any thing in the matter or form thereof. And in cathedral and collegiate churches, all deans, masters and heads of collegiate churches, canons and prebendaries, being graduates, shall daily at the times both of prayer and preaching, wear with their surplices such hoods as are agreeable to their degrees. No man also shall cover his head in any church or chapel in the time of divine service, except he have some infirmity, in which case he may wear a night cap or coif. Neither shall any person be otherwise at such times busied, than in quiet attendance to hear, mark, and understand that which is read, preached or ministred; using all such reverent gestures and actions, as by the book of Common Prayer are prescribed in that behalf, and the commendable use of this church received; and not departing out of the church, during the time of service and sermon, without some urgent or reasonable cause.

VIII. *Of the ordering of certain parts of the service.*

Also the minister reading the lessons, epistle, and gospel, and the Ten Commandments, and such other parts of divine service, as do greatly tend to the edifying of the people, shall so place himself, and so turn him to the people, as they may best hearken thereunto, and be edified by the same. And every beneficiary and curate shall endeavour, that the confession of sins and absolution, and all the second service (at or before the communion, to the homily or sermon)

where the people all or most are Irish, shall be used in English first, and after in Irish, if the ordinary of the place shall so think meet.

IX. *Beneficed preachers being resident upon their livings, to preach every Sunday.*

Every beneficed man, allowed to be a preacher, and residing on his benefice, having no lawful impediment, shall in his own cure preach one sermon every Sunday of the year; and therein he shall teach no vain opinions, no heresies, nor popish errors, disagreeing from the articles of religion, generally received in the churches of England and Ireland; nor any thing at all, whereby the people may be stirred up to the desire of novelty or contention; but shall soberly and sincerely divide the word of truth, to the glory of God, and to the best edification of the people.

X. *No public opposition between preachers.*

If any preacher shall in the pulpit particularly or namely, of purpose impugn or confute any doctrine delivered by any other preacher in the same church, or in any other near adjoining; or otherwise make any public opposition unto him, before he hath acquainted the bishop of the diocese therewith, and received order from him what to do in that case (because upon such public dissenting and contradicting, there may grow much offence and disquieting to the people) the churchwardens or party grieved shall forthwith signify the same to the said bishops, and not suffer the said preacher any more to occupy that place which he has once abused, except he faithfully promise to forbear all such matter of contention in the church, until the bishop hath taken further order therein; who shall with all convenient speed so proceed therein, that public satisfaction may be made in the congregation, where the offence was given. Provided, that if either of the parties offending, do appeal, he shall not be suffered to preach, pendente lite.

XI. *Ministers to catechise every Sunday.*

Every parson, vicar, or curate upon every Sunday before evening prayer shall for half an hour, or more, examine and instruct the youth and ignorant persons of his parish in the Ten Commandments, the articles of the Belief, and in the Lord's Prayer, and shall diligently hear, and instruct, and teach them the catechism set forth in the book of Common Prayer. And all fathers, mothers, masters, and mistresses shall cause their children, servants, and apprentices, which have not learned the catechism, to come to church at the time appointed, obediently to hear, and to be ordered by the minister, until they have learned the same. And if any minister neglect his duty herein, let him be sharply reprov'd upon the first complaint, and true notice thereof given to the bishop or ordinary of the place. If after submitting himself, he shall wilfully offend therein again, let him be suspended. If so the third time, there being little hope that he will be therein reformed, then

then excommunicated, and so remain, until he be reformed. And likewise if any of the said fathers, mothers, masters, or mistresses, children, servants, or apprentices shall neglect their duties, as the one sort in not causing them to come, and the other in refusing to learn, as aforesaid, let them be suspended (if they be not children) and if they so persist by the space of a month, let them be excommunicated. Neither shall the minister admit any to be married, or to be godfathers or godmothers at the baptism of any child, or to receive the holy communion before they can say the articles of the Belief, the Lord's Prayer, and the Commandments in such a language as they understand.

XII. The people to be informed in the body of christian religion, and reformed in their conversation.

For the better grounding of the people in the principles of christian religion, we ordain, that the heads of the catechism being divided into so many parts, as there are Sundays in the year, shall be explained to the people in every parish church. In the handling whereof, the ministers and curates, are to use such moderation, that they do not run into curious questions, or unnecessary controversies, but shortly declare and confirm the doctrine proposed, and make application thereof to the behoof of the hearers. The ministers also in all their preachings and catechisings, and private conference, when need requireth, shall teach the people to place their whole trust and confidence in God, and not in creatures, neither in the habit or scapular of any fryar, or in hallowed beads, medals, reliques, or such like trumperies. They shall do their endeavour likewise to root out all ungodly, superstitious, and barbarous customs, as using of charms, sorcery, enchantments, witchcraft, or soothsaying; and generally to reform the manners of the people committed to their charge, unto a christian, sober, and civil conversation.

XIII. Preachers and lecturers to read divine service, and administer the sacraments twice a year at the least.

Every minister being possessed of a benefice, that hath cure and charge of souls, although he chiefly attend to preaching, and hath a curate under him to execute other duties, which are to be performed for him in the church; and likewise every other stipendary preacher, that readeth any lecture, or catechiseth, or preacheth in any church or chapel, shall twice at the least every year read himself the divine service upon two several Sundays publickly, and at the usual times both in the forenoon and afternoon, in the church which he so possesseth, or where he readeth, catechiseth, or preacheth as is aforesaid; and shall likewise as often in every year administer the sacraments of baptism, if there be any to be baptized, and of the Lord's supper, in such manner and form, and with the use and observation of all such rites, ornaments, and ceremonies, as are prescribed by the book of Common Prayer, and the act for uniformity printed therewith,

in that behalf; which if he do not accordingly perform, then shall he that is possessed of a benefice, as before, be suspended, and he that is but a reader, preacher, or catechiser, be removed from his place by the bishop of the diocese, until he or they shall submit themselves to perform all the said duties in such manner and sort as before is prescribed.

XIV. Ministers not to refuse to christen or bury.

No minister shall refuse or delay to christen any child according to the form of the book of Common Prayer, that is brought to the church to him on Sundays or holydays to be christened; or to bury any corps that is brought to the church or churchyard, convenient warning being given to him thereof before, in such manner as is prescribed in the said book of Common Prayer. And if he shall refuse to christen the one, or bury the other, except the party deceased were denounced excommunicated "majori excommunicatione," for some grievous and notorious crime, and no man able to testify of his repentance, he shall be suspended by the bishop of the diocese from his ministry by the space of three months.

XV. Ministers not to defer christening, if the child be in danger.

If any minister, being duly, without any manner of collusion, informed of the weakness and danger of death of any infant unbaptized in his parish, and thereupon desired to go or come to the place where the said infant remaineth, to baptize the same, shall either wilfully refuse so to do, or of gross negligence shall so defer the time, as when he might conveniently have resorted to the place, and have baptized the said infant, it dieth through such default unbaptized; the said minister shall be suspended for three months, and before his restitution, shall acknowledge his fault, and promise before his ordinary, that he not wittingly incur the like again. Provided that where there is a curate or a substitute, this constitution shall not extend to the parson or vicar himself, but the curate or substitute present.

XVI. Fathers not to be godfathers in baptism, nor children not communicants.

No parent shall be urged to present, nor be admitted to answer as godfather for his own child; nor any godfather or godmother shall be suffered to make any other answer or speech, than by the book of Common Prayer is prescribed in that behalf. Neither shall any person be admitted godfather or godmother to any child at christening or confirmation, before the said person so undertaking, hath received the holy communion.

XVII. Confirmation, or laying hands upon children, to be performed by the bishop once in three years.

Every minister that hath cure and charge of souls, for the better accomplishing of the orders prescribed

prescribed in the book of Common Prayer concerning confirmation, shall take such special care, as that none may be presented to the bishop for him to lay his hand upon, but such as can render an account of their faith, according to the catechism in the said book contained. The bishop also in his own person every third year at least in the time of his visitation, shall perform that duty of confirmation; or if in that year, by reason of some infirmity he be not able personally to visit his diocese, he shall not omit to do it the next year after, as he may conveniently. And whensoever the time shall by him be assigned, every such minister shall use his best endeavour to prepare and make able, and likewise to procure as many as he can, to be then brought to be confirmed.

XVIII. Of the receiving of the holy communion.

In every cathedral and collegiate church, at least once every month, and in every parish church and chapel where sacraments are to be administered within this realm, the holy communion shall be ministered by the parson, vicar, or minister, so often, and at such times, as every parishioner may communicate at the least thrice in the year (whereof the feast of Easter to be one) according as they are appointed by the book of Common Prayer. And that no minister when he celebrateth the communion, shall wittingly administer the same to any but such as kneel; provided that every minister as often as he administret the communion, shall first receive the sacrament himself. Furthermore, no bread nor wine newly brought shall be used, but first the words of institution shall be rehearsed, when the said bread and wine be presented upon the communion table. Likewise the minister shall deliver both the bread and wine to every communicant severally.

XIX. Warning to be given beforehand for the communion.

Whereas every lay person is bound to receive the holy communion thrice every year, and many notwithstanding do not receive that sacrament once in a year; we do require every minister to give warning to his parishioners publickly in the church at morning prayer, the Sunday before every time of his administering the holy sacrament, for the better preparation of themselves. Which said warning we enjoin the said parishioners to accept and obey, under the penalty and danger of the law. And the minister of every parish, and in cathedral and collegiate churches some principal minister of the church shall the afternoon before the said administration, give warning by the tolling of the bell, or otherwise, to the intent, that if any have any scruple of conscience, or desire the special ministry of reconciliation, he may afford it to those that need it. And to this end the people are often to be exhorted to enter into a special examination of the state of their own souls; and that finding themselves either extreme dull, or much troubled in mind, they

do resort unto God's ministers, to receive from them as well advice and counsel for the quickening of their dead hearts, and the subduing of those corruptions whereunto they have been subject, as the benefit of absolution likewise for the quieting of their consciences, by the power of the keys which Christ hath committed to his ministers for that purpose.

XX. Notorious offenders not to be admitted to the communion.

No minister shall in any wise admit to the receiving of the holy communion any of his cure, or flock, which be openly known to live in sin notorious, without repentance. Nor any who have maliciously and openly contended with their neighbours, until they shall be reconciled. Nor any churchwardens or sidemen, who having taken their oaths to present to their ordinaries all such public offences, as they are particularly charged to enquire of in their several parishes, shall notwithstanding their said oaths (and that their faithful discharging of them is the chiefest means whereby public sins and offences may be reformed and punished) wittingly and willingly, desperately and irreli- giously incur the horrible crime of perjury, either in neglecting, or refusing to present such of the said enormities and public offences, as they know themselves to be committed in their said parishes, or are notoriously offensive to the congregation there, although they be urged by some of their neighbours, or by their minister, or by their ordinary himself to discharge their consciences by presenting of them, and not to incur so desperately the said horrible sin of perjury.

XXI. Ministers not to preach, or administer the communion in private houses.

No minister shall preach, or administer the holy communion in any private house, except it be in times of necessity, when any being either so impotent as he cannot go to the church, or very dangerously sick, are desirous to be partakers of that holy sacrament, under pain of suspension for the first offence, and excommunication for the second. Provided, that houses are here reputed for private houses, wherein are no chapels dedicated and allowed by the ecclesiastical laws of this realm. And provided also under the pain before expressed, that no chaplains do preach, or administer the communion in any other places but in the chapels of the said houses, and that also they do the same very seldom upon Sundays and holydays. So that both the lords and masters of the said houses, and their families shall at other times resort to their own parish churches, and there receive the holy communion at the least once every year.

XXII. Ministers not to hold private conventicles.

Forasmuch as all conventicles and secret meetings of priests and ministers have been ever justly accounted very hurtful to the state of the church wherein they live; we do now or-
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tain and constitute, that no priests or ministers of the word of God, nor any other persons shall meet together in any private house, or elsewhere, to consult upon any matter or course to be taken by them, or upon their motion or direction by any other, which may any way tend to the impeaching or depraving of the doctrine of the church of Ireland, or of the book of Common Prayer, or of any part of the government and discipline now established in the church of Ireland, under pain of excommunication.

XXIII. *Of ordering ecclesiastical jurisdiction.*

No archbishop, bishop, or other person whatsoever, having ecclesiastical jurisdiction, shall appoint, constitute, make and confirm any chancellor, commissary, or official for longer time than their own incumbency, except he be of the full age of twenty six years at least, and one that is learned in the civil and ecclesiastical laws, and is at the least a master of arts, or bachelor of law, and is reasonably well practised in the course thereof. Neither shall they let their jurisdictions to farm, or grant, or confirm to any man the next, second, or third advowson of any prebend or benefice, being in their gift. And if they shall make or confirm any such grant or patent of the place of chancellor, commissary, or official for longer term than during their incumbency, to any that is not qualified as is hereby required, then the said person so accepting the said patent or grant, is to be held and declared incapable thereof, to all intents whatsoever. Lastly, the said archbishops and bishops, shall provide, that the clergy and people be not burdened with unjust exactions by their servants and officers in their visitations; and that neither the archbishops therein shall charge their suffragans, nor the bishops their clergy with any noctuals, or refectations, over and above their ordinary procurations (reserving notwithstanding unto the archbishops in their visitations the refectations usually heretofore received in those dioceses, where the same procurations are not received by them, which are yearly paid by the clergy unto their bishops.) And that no archbishop or bishop shall demand from the executors or administrators of any of their clergy any heriots or mortuaries, as in some place of this kingdom heretofore hath been accustomed.

XXIV. *Of ordering the revenues of ecclesiastical persons.*

No archbishop, bishop, dean and chapter, or dignitary shall in any wise diminish the ancient revenues of their sees, or churches, nor alienate their lands in fee-farm, nor destroy their woods, nor give power to their tenants to make waste thereof, nor by any devise demise their mensal or demesne lands, unless it be to their curates, actually discharging the said cures, without forty days absence in any one year, and to them for no longer time or term, than during their own incumbency. Neither shall they join with any dignitary, prebend, or

other beneficiary or beneficiaries to confirm the leases or alienations made, or to be made by him or them of any ecclesiastical profits or obligations. And the said archbishops and bishops, shall carefully provide that all churches, chancels, and messe-houses, the repair whereof properly belongeth to them, or any of them, or to any other ecclesiastical person or persons, be from time to time preserved from ruin and decay.

XXV. *Of archdeacons.*

Every archdeacon, which hath authority to visit either by common right, or by prescription, shall visit the precinct of his jurisdiction once every year in his own person; and he shall not substitute any to be his official, but such a one as hath been brought up in the university, and hath studied the civil law, if such a one may be had, being able not only in learning, but also with gravity and modesty to discharge that office.

XXVI. *Residence of deans in their churches.*

Every dean, master, or warden, or chief governor of any cathedral or collegiate church shall be resident in his said cathedral or collegiate church fourscore and ten days, "conjunctim aut divisim," in every year at least, so that they have houses, or ground to build houses upon, belonging to their churches; and then shall continue there in preaching of the word of God, and keeping good hospitality, except he shall be otherwise letted with weighty and urgent causes, to be approved by the bishop of the diocese. And when he is present, he with the rest of the canons or prebendaries resident, shall take special care that the statutes and laudable custom of their church, not being contrary to the word of God, or prerogative royal, the statutes of this realm being in force concerning ecclesiastical orders, and all other constitutions, now set forth and confirmed by his majesty's authority, and such as shall be lawfully enjoined by the bishop of the diocese in his visitation according to the statutes and customs of the same church, or the ecclesiastical laws of this realm, be diligently observed. And that the petty canons vicars choral, and other ministers of their church, be urged to the study of the holy scriptures, and every one of them to have the New Testament not only in the English, but also Latin.

XXVII. *Deans and prebendaries to preach during their residence.*

The dean, master, warden, or other chief governor, prebendaries, and canons in every cathedral and collegiate church shall not only preach there in their own persons, so often as they are bound by law, statute, ordinance, or custom, but shall likewise preach in other churches of the same diocese where they are resident, and especially in those places, whence they, or their churches receive any yearly rents or profits. And in case they themselves be sick or lawfully absent, they shall substitute such licensed preacher to supply their turns, as by the bishop

bishop of the diocese shall be thought meet to preach in cathedral churches. And if any otherwise neglect or omit to supply his course, as is aforesaid, the offender shall be punished by the bishop, or by him or them to whom the jurisdiction of that church appertaineth, according to the quality of the offence.

XXVIII. *Prebendaries to be resident upon their benefices.*

No prebendaries or canons in cathedral or collegiate churches having one or more benefices with cure, and not being residentiaries in the same cathedral or collegiate churches, shall under colour of the said prebends, absent themselves from their benefices, with cure, above the space of one month in the year, unless it be for some urgent cause, and certain time to be allowed by the bishop of the diocese. And such of the said canons and prebendaries, as by the ordinances of the said cathedral or collegiate churches do stand bound to be resident in the same, shall so among themselves sort and proportion the times of the year concerning residence to be kept in the said churches, as that some of them always shall be personally resident there. And that all those who be, or shall be residentiaries in any cathedral or collegiate church, shall after the days of their residency, appointed by their local statutes or customs expired; presently repair to their benefices, or some of them, or to some other charge, where the law requireth their presence, there to discharge their duties according to the law in that case provided. And the bishop of the diocese shall see the same to be duly performed and put in execution.

XXIX. *Four solemn times appointed for the making of ministers.*

Forasmuch as the ancient fathers of the church, led by the examples of the apostles, appointed prayers and feasts to be used at the solemn ordering of ministers, and to that purpose allotted certain times, in which only sacred orders might be given or conferred; we following their holy and religious example, do constitute and decree, that no deacons or ministers be ordained and made, but only upon the Sundays immediately following "jejunia quatuor temporum," commonly called Ember-weeks, appointed in ancient time for prayer and fasting, purposely for this cause at their first institution, and so continued at this day in the church of Ireland; and that this be done in the cathedral or parish church where the bishop resideth, and in the time of divine service in the presence not only of the archdeacon, but the dean and two prebendaries at the least, or if they shall happen by any lawful cause to be let or hindered, in the presence of four other grave persons, being allowed for public preachers. And lastly, that no person, of what quality or gifts soever, be made a deacon and a presbyter both together upon the same day.

XXX. *The titles of such as are to be made ministers.*

No person shall be admitted into sacred orders, except he shall at that time exhibit to the bishop, of whom he desireth imposition of hands, a presentation of himself to some ecclesiastical preferment then void in that diocese, or shall bring to the said bishop a true and undoubted certificate, that he either is provided of some church within the said diocese, where he may attend the cure of souls, or of some ministers place vacant either in the cathedral church of that diocese, or in some other collegiate church therein also situate, where he may execute his ministry, or that he is a senior fellow of some college in the university, or except he be a master of arts of five years standing, that liveth of his own charge in the university, or except by the bishop himself that doth ordain him minister, he be shortly after to be admitted either to some benefice or curateship then void, not to be removed until he be otherwise provided for, except by his notable evil carriage he deserve the contrary. And if any bishop shall admit any person into the ministry that hath none of these titles, as is aforesaid, then he shall keep and maintain him with all things necessary, till he do prefer him to some ecclesiastical living. And if the said bishop shall refuse so to do, he shall be suspended by his archbishop, being assisted with another bishop, from giving of orders by the space of a year.

XXXI. *The quality of such as are to be made ministers.*

No bishop shall hereafter admit any person into sacred orders, who is not of his own diocese, except he be a graduate of some university within the king's dominions, or except he shall bring letters dimissory (so termed) from the bishop of whose diocese he is; and desiring to be a deacon, is three and twenty years old, and to be a presbyter, four and twenty years compleat; and hath taken some degrees of school in some of the said universities, or at the least, except he be able to yield an account of his faith in Latin (according to the articles of religion generally received in the church of England and Ireland) and to confirm the same by sufficient testimonies out of the holy scriptures. And except moreover he shall then exhibit letters testimonial, or authentic certificate of his good life and conversation, under the seal of some college, where before he remained, or of three or four grave ministers, together with the subscription and testimony of other credible persons, who have known his life and behaviour by the space of three years next before.

XXXII. *The examination of such as are to be made ministers.*

The bishop before he admit any person to holy orders, shall diligently examine him in the presence of those ministers, that shall assist him at the imposition of hands. And if the said bishop

bishop have any lawful impediment, he shall cause the said ministers carefully to examine every such person, so to be ordered. Provided, that they who shall assist the bishop in examining and laying on of hands, shall be of his cathedral church, if they may conveniently be had, or other sufficient preachers of the same diocese, to the number of three at the least. And if any bishop or suffragan shall admit any to sacred orders, who is not so qualified and examined, as before we have ordained, the archbishop of that province having notice thereof, and being assisted by one bishop, shall suspend the said bishop or suffragan so offending, from making either deacons or priests for the space of two years. Neither shall any person be received into the ministry, nor admitted to any ecclesiastical living, nor permitted to preach, read, lecture, catechise, or minister the sacraments, except he shall first by subscription declare his consent to the first four canons of this present synod, and every thing contained therein.

XXXIII. *Caution for institution of ministers into benefices.*

No bishop shall institute any into a benefice, who hath been ordained by any other bishop, except he first shew unto him his letters of orders, and bring him a sufficient testimony of his former good life and behaviour, if the bishop shall require it: and lastly, shall appear upon due examination to be worthy of his ministry.

XXXIV. *Of patrons of ecclesiastical benefices.*

The bishop shall earnestly and diligently exhort patrons of benefices to consider the necessities of the churches, and to have before their eyes the last day of judgment, and the tribunal seat of God: therefore that they prefer no man to any ecclesiastical living, but him which by doctrine, judgment, godliness, honesty, and innocency of life is able to bear so heavy a burthen; that they do nothing therein, but uprightly, incorruptly, and truly: but if any patron shall be convicted to have made any simoniacal contract, either directly or indirectly, let him be excommunicated ipso facto, not to be absolved but after public penance in the cathedral church, and the church so simoniacally presented unto.

XXXV. *Prevention of simoniacal contracts in those that are presented by them.*

To avoid the detestable sin of simony, because buying and selling of ecclesiastical functions, offices, promotions, dignities, and livings is execrable before God, therefore the archbishop, and all and every bishop or bishops, or any other person or persons having authority to admit, institute, collate, install, or to confirm the election of any archbishop, bishop, or other person or persons to any spiritual or ecclesiastical function, dignity, promotion, title, office, jurisdiction, place, or benefice with cure, or without cure, or to any ecclesiastical

living whatsoever, shall before every such admission, institution, collation, installation, or confirmation of election, respectively minister to every person thereafter to be admitted, instituted, collated, installed, or confirmed in or to any archbishoprick, or other spiritual or ecclesiastical function, dignity, promotion, title, office, jurisdiction, place, or benefice with cure, or without cure, or in any ecclesiastical living whatsoever, this oath in manner and form following, the same to be taken by every one, whom it concerneth, in his own person, and not by a proctor.

I N. N. do swear that I have made no simoniacal payment, contract, or promise, directly or indirectly, by my self, or by any other, to my knowledge or with my consent, to any person or persons whatsoever, for or concerning the procuring and obtaining of this ecclesiastical dignity, place, preferment, office, or living (respectively and particularly naming the same whereunto he is admitted, instituted, collated, installed, or confirmed) nor will at any time hereafter perform or satisfy any such kind of payment, contract, or promise made by any other without my knowledge or consent. So help me God through Jesus Christ.

And for the better expressing of this cursed abuse, we ordain and appoint, that if any clerk, or any other with his consent shall seal any bond or bill to any person or persons, with condition of resignation of his benefice, whereto he is to be, or hath been presented, or shall make or covenant to make any lease of the profits of the said benefice, or any part thereof unto the patron, or any belonging to him, or any other person, to his or their use, to continue during his incumbency, or for above three years, or with notable diminution of the rent under the true value, he shall be holden for convict of simony, and proceeded against according to the severity of the ancient canons in that behalf.

XXXVI. *Small parishes to be united, and residence enjoined.*

For remedy of the smallness of the maintenance of the clergy, we ordain, that when there is in one parish a rectory and vicarage, or portion of tithes collative, the bishop shall unite them perpetually; and those unions the deans and chapters shall be bound to confirm to remain perpetually, as one entire benefice: and that no dispensations be granted to hold more than one benefice of greater value than forty pounds English per annum, but to such only as shall be very well able and sufficient to discharge his duty, having taken the degree of a master of arts at least, in some university within his majesty's dominions, and being a public and sufficient preacher licensed. Provided, that he who is qualified as aforesaid, shall always reside in one of his benefices, and some reasonable time of every year in each of them. And lastly, that he have under him, wher

where he doth not reside, a curate able to catechize and instruct the people, to have such maintenance as to the ordinary shall seem fit.

XXXVII. *Absence of beneficed men, and livings appropriated to be supplied by curates that are allowed preachers.*

Every beneficed man licensed by the laws of this realm (upon urgent occasions of other service) not to reside upon his benefice, shall cause his cure to be supplied by a curate that is a sufficient and licensed preacher, if the worth of the benefice will bear it. But whosoever hath two benefices, shall maintain a preacher licensed in the benefice where he doth not reside, except he preach himself at both of them usually. Also every beneficed man not allowed to be a preacher, shall procure sermons to be preached in his cure once every month at the least by preachers lawfully licensed, if his living in the judgment of the ordinary will be able to bear it. And upon every Sunday, when there shall not be a sermon preached in his cure, he or his curate shall read one of the homilies prescribed by authority, to the intents aforesaid. And as for those churches where all the tithes both great and small are taken by the appropriator, we ordain, that the bishop of the diocese, according to the laws of the church, shall allot out of the said appropriation such maintenance to a sufficient curate, as in equity in his discretion shall seem meet and competent.

XXXVIII. *None to be curates but allowed by the bishop.*

No curate or minister shall be permitted to serve in any place without examination and trial first to be made of his sufficiency, sobriety, and fitness every way for the ministration whereunto he is to be deputed; having respect to the greatness of the cure, and meetness of the party; and being found worthy, he shall be admitted by the bishop of the diocese in writing under his hand and seal. And the said curates and ministers, if they remove from one diocese to another, shall not be by any means admitted to serve, without testimony of the bishop of the diocese, or ordinary of the place, as aforesaid, whence they came, in writing, of their honesty, ability, and conformity to the ecclesiastical laws of the church of Ireland. Nor any shall serve more than two churches or chapels in one day, and those to be in a convenient distance, and unless the said church or chapel, where such a minister shall serve in two places, be not able in the judgment of the bishop or ordinary, as aforesaid, to maintain a curate. Provided, that no clergyman holding any benefice in title, shall by this constitution be debarred from nominating an able curate to such benefice, so often as the said cure shall be void, to be examined and admitted by the bishop as aforesaid.

XXXIX. *Strangers not admitted to preach without licence.*

Neither the minister, churchwardens, or o-

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ther officers of any parochial or collegiate church shall suffer any stranger to preach unto the people in their churches, except they know him to be sufficiently authorized thereto, as is aforesaid. And if any in his sermon shall publish any doctrine, either strange, or disagreeing from the word of God, or from the articles of religion generally received in the churches of England and Ireland, they shall by their letters subscribed with some of their hands that heard him, so soon as may be, give notice of the same to the bishop of the diocese, that he may determine the matter, and take such order therein as he shall think convenient.

XL. *Ministers to confer with recusants.*

Every minister being a preacher, and having any popish recusant or recusants in his parish, and thought fit by the bishop of the diocese, shall labour diligently with them from time to time, thereby to reclaim them from their errors. And if he be not a preacher, or not such a preacher; then he shall procure (if he can possibly) some that are preachers so qualified, to take pains with them for that purpose. If he can procure none, then he shall inform the bishop of the diocese thereof, who shall not only appoint some neighbour preacher, or preachers adjoining, to take that labour upon them; but himself also (as his important affairs will permit him) shall use his best endeavour by instruction, persuasion, and all good means he can devise, to reclaim both them, and all other within his diocese so affected.

XLI. *Ministers to visit the sick.*

When any person is dangerously sick in any parish (although they have not formerly resorted to the church) the minister or curate having knowledge thereof, shall resort unto him or her (if the disease be not known or probably suspected to be infectious) to instruct and comfort them in their distress, according to the order of the communion book, if he be no preacher; or if he be a preacher, then as he shall think most needful and convenient. And when any is passing out of this life, a bell shall be tolled, and the minister shall not then slack to do his last duty. And after the party's death (if so it fall out) there shall be rung no more but one short peal, and one other before the burial, and one after the burial.

XLII. *Soberness of conversation, and decency of apparel required in ministers.*

No ecclesiastical persons shall at any time, other than for their honest necessities, so much as resort to any taverns or alehouses, neither shall they board or lodge in any such places. Furthermore, they shall not give themselves to any base or servile labour, or to drinking, or riot, spending their time idly by day or by night, nor shall they give themselves to playing at dice, cards or tables, or any other game unbeseeming their function; but at all times convenient they shall hear or read somewhat of the holy scriptures, or

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shall

shall occupy themselves with some other honest study or exercise; always doing the things which shall appertain to honesty, and endeavouring to profit the church of God, having always in mind that they ought to excel others in purity of life, and should be examples to the people to live well and christianly, under pain of ecclesiastical censures to be inflicted with severity according to the qualities of their offences. We do likewise constitute and appoint, that archbishops and bishops shall not intermit to use the accustomed apparel of their degrees. Likewise all deans, masters of colleges, archdeacons, and prebendaries, in cathedral and collegiate churches (being priests or deacons) doctors in divinity, law, and physic, batchelors in divinity, masters of arts, and batchellors of law, having any ecclesiastical living, shall usually wear gowns with standing collars, and sleeves straight at the hands; or wide sleeves, as is used in the universities, with hoods, or tippets of silk or sarcenet, and square caps in places and times convenient. And that all other ministers, admitted or to be admitted into that function, shall also usually wear the like apparel as is aforesaid, except tippets only. We do further in like manner ordain, that all the said ecclesiastical persons above mentioned shall usually wear in their journeys cloaks with sleeves commonly called priest cloaks, without guards, welts, long buttons, or cuts. And no ecclesiastical persons shall wear any coif, or wrought nightcap, but only plain nightcaps of black silk, satin, or velvet. In all which particulars concerning the apparel here prescribed, our meaning is not to attribute any holiness, or special worthiness to the said garments, but for decency, gravity, and order. In private houses, and in their studies the said persons ecclesiastical may use any comely and scholar like apparel. Provided that it be not cut or pinkt, and that in public they go not in their doublet or hose without coats or cassocks; and also that they wear not any light coloured stockings.

XLIII. *Of consecrating of churches.*

As often as churches are newly built, where formerly there were not, or churchyards appointed for burial, they shall be dedicated and consecrated. Provided, that the ancient churches and churchyards, shall not be put to any base and unworthy use.

XLIV. *A terrier of glebe lands, and other possessions belonging to churches to be made.*

We ordain, that the archbishops and all bishops within their several dioceses, shall procure, as much as in them lieth, that a true note and terrier of all the lands, glebes, meadows, gardens, orchards, houses, stocks, implements, tenements, and portions of tithes, and all rights whatsoever, which are in possession, or of right do belong to their several sees, or to any dignity, parsonage, or vicarage, or rural prebend, within any of their dioceses, be taken by the view of honest men in every parish, by the appointment of the said archbishops or bi-

shops, whereof the minister to be one, and be laid up in their several registries to the use of posterity. And the archbishops and bishops shall in their visitations carefully provide, that this canon be observed, and that the said terrier be renewed every ten years. And no minister shall make a lease of his glebelands, or of his benefice, or the profits or means thereof, above the term of three years at the uttermost, saving unto all patentees from his majesty such power as is, or hereafter shall be granted to them in their patents, to demise their glebe, or any part thereof.

XLV. *Payment of tithes to be made.*

Forasmuch as every man is bound to pay his tithes, no man shall by colour of duty omitted by their curates, detain their tithes, and so requite one wrong with another, or be his own judge; but shall truly pay the same, as hath been accustomed, to their parsons, vicars and curates, without any restraint or diminution. And for such lack and default, as they can justly find, in their parsons, vicars, and curates, they shall seek for reformation to their ordinaries, and other superiors; who upon complaint and due reproof thereof, shall reform the same accordingly.

XLVI. *A registry to be kept of christenings, weddings, and burials.*

In every parish church and chapel within this realm shall be provided one parchment book, at the charge of the parish, wherein shall be written the day and year of every christening, wedding, and burial, which shall be in the parish, from the time that this canon shall be established. And for the safe keeping of the said book, the churchwardens, at the charge of the parish, shall provide one sure coffer with three locks and keys, whereof the one to remain with the minister, and the other two with the church wardens several; so that neither the minister without the churchwardens, nor the churchwardens without the minister shall at any time take that book out of the said coffer. And henceforth, upon every Sabbath day, immediately after morning and evening prayer, the minister and churchwardens shall take the said parchment book out of the said coffer; and the minister in the presence of the churchwardens shall write and record in the said book the names of all persons christened, together with the names and surnames of their parents; and also the names of all persons married and buried in that parish the week before by the minister or his curate, and the day and the year of every such christening, marriage, and burial. And that done, they shall lay up the book in the coffer as before. And the minister and churchwardens unto every page of that book (when it shall be filled with such inscriptions) shall subscribe their names. And the churchwardens shall once every year, within one month after the twenty fifth day of March, transmit unto the bishop of the diocese, or his chancellor a true copy of the names of all persons

persons christened, married, or buried in their parish in the year before (ended the said twenty fifth day of March) and the certain days and months, in which every such christening, marriage, and burial was had, to be subscribed with the hands of the said minister and churchwardens, to the end the same may faithfully be preserved in the registry of the said bishop, which certificate shall be received without fee. And if the minister or churchwardens shall be negligent in the performance of any thing herein contained, it shall be lawful for the bishop, or his chancellor to convene them, and proceed against every of them, as contemners of this our constitution.

XLVII. None to marry within the degrees prohibited.

No persons shall marry within the degrees prohibited by the laws of God, and expressed in a table set forth by authority in England in the year of our Lord God one thousand five hundred and sixty three. And all marriages so made and contracted, shall be adjudged incestuous and unlawful, and consequently shall be dissolved, as void from the beginning. And the parties so married, shall be by course of law separated. And the aforesaid table shall be in every church publickly set up, and fixed at the charge of the parish.

XLVIII. None to marry under twenty one years without their parents consent.

No children under the age of twenty one years compleat shall contract themselves, or marry without the consent of their parents, or of their guardians and governors, if their parents be deceased.

XLIX. Security to be taken at the granting of licences to marry without publication of banns, and under what conditions.

The security mentioned shall contain these conditions: first, that at the time of the granting every such licence, there is not any impediment of precontract, consanguinity, affinity, or other lawful cause, to hinder the said marriage: secondly, that there is not any controversy or suit depending in any court before any ecclesiastical judge, touching any contract or marriage of either of the said parties with any other: thirdly, that they have obtained thereunto the express consent of their parents (if they be living) or otherwise of their guardians or governors: lastly, that they shall celebrate the said matrimony publickly in the parish church or chapel where one of them dwelleth, and in no other place; and that, between the hours of eight and twelve in the forenoon; neither in the time of Lent, nor of any public fast, nor of the solemn festivities of the nativity, resurrection, and ascension of our Lord, or of the descension of the Holy Ghost.

L. Oaths to be taken for the conditions.

For the avoiding of all fraud and collusion in the obtaining of such licences and dispensations;

we further constitute and appoint, that before any licence for the celebration of matrimony, without publication of banns be had and granted, it shall appear to the judge by the oaths of two sufficient witnesses, one of them to be known to the aforesaid judge himself, or to some other person of good reputation then present, and known likewise to the said judge; that the express consent of the parents or parent (if one be dead) or guardians or guardian of the parties is thereunto had and obtained. And furthermore, that one of the parties personally swear, that he believeth there is no let or impediment of precontract, kindred or alliance, or of any other lawful cause whatsoever; nor any suit commenced in any ecclesiastical court, to bar, or hinder the proceeding of the said matrimony, according to the tenor of the aforesaid licence.

LI. An exception for those that are in widowhood.

If both the parties which are to marry, being in widowhood, do seek a faculty, for the forbearing of banns; then the clause beforementioned, requiring the parents consent, may be omitted; but the parishes where they dwell both, shall be expressed in the licence, as also the parish named where the marriage shall be celebrated. And if any having power to grant licence, shall offend in the premises, or any part thereof, he shall for every time so offending, be suspended from the execution of his office for the space of six months; and every such licence or dispensation, shall be held void to all effects and purposes, as if there had never been any such granted, and the parties marrying by virtue thereof, shall be subject to the punishments, which are appointed for clandestine marriages.

LII. Ministers not to marry any person without licence or banns.

No minister of what place soever, nor under colour of any peculiar liberty or privilege, claimed to appertain to any church or chapel, shall upon pain of deprivation, if he be beneficed, or degradation, if he be not beneficed, celebrate matrimony between any persons, without a faculty or licence granted, except the banns of matrimony have been first published three several Sundays or holydays, in the time of divine service, in the parish churches and chapels wherein the said parties have dwelled, by the space of three months before. Neither shall any minister upon the like pain, under any pretence whatsoever, joyn any persons in marriage at any unreasonable times, but only between the hours of eight and twelve in the forenoon; nor in any private place, but either in the said churches or chapels where one of them dwelleth, and likewise in time of divine service, or when banns are thrice asked before, the parties and governors of the parties to be married, being under the age of twenty one years shall either personally, or by sufficient testimony signify to him their consents given to the said marriage.

LIII. No

LIII. *No sentences for divorce to be given upon the sole confession of the parties.*

Forasmuch as matrimonial causes have been always reckoned and reputed amongst the weightiest, and therefore require the greater caution, when they come to be handled, and debated in judgment, especially in causes wherein matrimony, having been in the church duly solemniz'd, is required upon any suggestion, or pretext whatsoever, to be dissolved or annulled; we do straitly charge and enjoyn, that in all proceedings to divorce and nullities of matrimony, good circumspection and advice be used, and that the truth may, as far as is possible, be sifted out by the deposition of witnesses, and other lawful proofs and evictions, and that credit be not given to the sole confession of the parties themselves, howsoever taken upon oath, either within or without the court.

LIV. *No sentence of divorce to be given but in open court.*

No sentence shall be given either for separation "a thoro et mensa," or for annulling of pretended matrimony, but in open court, and in the seat of justice. And that with the knowledge and consent either of the archbishop within his province, or of the bishop within his diocese, or "sede vacante," of the guardians of the spiritualities, or the judge of the prerogative, in their several jurisdictions and courts, and concerning them only, that are then dwelling under their jurisdiction.

LV. *In all sentences for divorce, bond to be taken for not marrying during each others life.*

In all sentences pronounced only for divorce and separation "a thoro et mensa," there shall be a caution and restraint inserted in the act of the said sentence, that the parties so separated shall live chastly and continently, neither shall they during each others life, contract matrimony with any other person; and for the better observing of this last clause, the said sentence of divorce shall not be pronounced, until the party or parties requiring the same, have given good sufficient caution and security into the court, that they will not any way break or transgress the said restraint or prohibition. And if any judge aforesaid, giving sentence of divorce or separation, shall not fully keep and observe the premises, he shall be suspended from the exercise of his office for the space of a whole year.

LVI. *The order of jurisdiction to be made.*

For the avoiding of the unjust vexation of the people, and for the better preserving of order in the exercise of ecclesiastical jurisdiction, we ordain and appoint, that the probate of all wills, and granting administration of the goods of any defunct, shall be had before the bishop of the diocese where he dwelled, unless it do appear, that the said defunct had goods to the value of five pounds sterling, in any other diocese; in which case the said probate, and

granting administrations shall be referred to the Prerogative court; provided, that if any die "in itinere," the goods that he hath about him at that present, shall not cause his testament, or the administration to be liable to the Prerogative court. And the same order shall be holden in appeals; without passing by the intermediate jurisdiction, upon pain of nullity in all acts contrary to this canon. And if any judge of the Prerogative court, or any his surrogate, or his register, or apparitor shall cite or cause to be cited, "ex officio," any man to the intents aforesaid, contrary to this canon, not having knowledge, that the probate of a will, or granting administration or devolution of the cause, do appertain to his cognizance, he shall restore to the party so cited all his costs and charges, and the acts and proceedings in that behalf, shall be held void and frustrate: which expences, if the said judge, or register, or apparitor shall refuse accordingly to pay, he shall be suspended from the exercise of his office, until he yield to the performance thereof.

LVII. *The restraint of double quarrels upon respite of institution.*

We do ordain and appoint, that no double quarrels shall be hereafter granted out of the archbishops or Prerogative court, at the suit of any clerk presented to any benefice, except he shall first take his personal oath, that the space of two months at the least is expired, since he first tendred his presentation to the bishop, and that he refused to grant him institution thereupon, under pain of suspension of the granter thereof from the execution of his office for half a year, and nullity of the said double quarrel, so unduly procured, to all intents and purposes.

LVIII. *Inhibitions not to be granted without the subscription of an advocate.*

That the jurisdictions of bishops may be preserved, as near as may be, entire and free from prejudice; and that for the behoof of the subjects of this land better provision be made, that henceforward they be not grieved with frivolous and wrongful suits and molestations; it is ordained and provided, that no inhibition shall be granted out of any court belonging to the archbishop of the province, or the supreme prerogative, at the instance of any party, unless it be subscribed by an advocate, practising in the said court, which the said advocate shall do freely, not taking any fee for the same, except the party prosecuting the suit, do voluntarily bestow some gratuity upon him for his counsel and advice in the said case. The like course shall be taken in granting forth any inhibition at the instance of any party, by the bishop or his chancellor against the archdeacon, or any other person exercising ecclesiastical jurisdiction; and if in the court or consistory of any bishop there be no advocate at all, then shall the subscription of a proctor practising in the same court, be held sufficient.

LIX. *Inhi-*

LIX. *Inhibitions not to be granted, until the appeal be exhibited to the judges.*

It is further ordered and decreed, that henceforward no inhibition be granted by occasion of any interlocutory decree, or in cause of correction whatsoever, except under the form aforesaid. And moreover, that before the going out of any such inhibition, the appeal itself, or a copy thereof avouched by oath to be just and true, be exhibited to the judge or his lawful surrogate, whereby he may be fully informed both of the quality of the crime, and the cause of the grievance, before the granting forth of the said inhibition. And every appellant, or his lawful proctor, shall before the obtaining of any such inhibition, shew and exhibit to the judge or his surrogate, in writing, a true copy of those acts wherewith he complaineth himself to be aggrieved, and from which he appealeth; or shall take a corporal oath, that he hath performed his diligence and true endeavour for the obtaining of the same, and could not obtain it at the hands of the register in the country, or his deputy, tendering him his fee. And if any judge or register shall either procure or permit any inhibition to be sealed, so as is said, contrary to the form and limitation above specified, let him be suspended from the execution of his office for the space of three months. If any proctor, or other person whatsoever by his appointment shall offend in any of the premisses, either by making or sending out any inhibition, contrary to the tenor of the said premisses, let him be removed from the exercise of his office for the space of a whole year, without hope of release or restoring.

LX. *Solemn denunciation of parties excommunicated.*

All ordinaries shall in their several jurisdictions carefully see and give order, that as well those who for revolting, and still obstinate refusing to frequent divine service, established by public authority within this realm of Ireland, as also (especially of the better sort and condition) who for notorious contumacy, or notable crimes stand lawfully excommunicate (unless within three months immediately after the said sentence of excommunication pronounced against them, they reform themselves, and obtain the benefit of absolution) by every six months ensuing, as well in the parish church as in the cathedral church of the diocese in which they remain, by the minister openly, in the time of divine service, upon some Sunday declared and pronounced excommunicate; that others may be thereby admonished and excited to refrain their company and society.

LXI. *Notorious crimes and scandals to be certified into ecclesiastical courts by presentments.*

If any offend their brethren either by adultery, whoredom, incest, or drunkenness, or by swearing, ribaldry, usury, or any other uncleanness and wickedness of life; the churchwardens, or questmen, and sidemen, in their

next presentments to their ordinaries, shall faithfully present all and every of the said offenders, to the intent that they, and every of them may be punished by the severity of the laws, according to their deserts; and such notorious offenders shall not be admitted to the holy communion till they be reformed.

LXII. *Schismatics to be presented.*

If the churchwardens, or questmen, or assistants, do, or shall know any man within the parish, or elsewhere, that is an hinderer of the word of God to be read or sincerely preached, or of the execution of these our constitutions, or a fautor of any usurped or foreign power by the laws of this realm justly rejected, and taken away, or a defender of popish or erroneous doctrine, they shall detect and present the same to the bishop of the diocese, or ordinary of the place, to be censured and punished, according to such ecclesiastical laws as are prescribed in that behalf.

LXIII. *Not communicants at Easter to be presented.*

The minister, churchwardens, questmen, and assistants of every parish church and chapel, shall yearly within forty days after Easter, exhibit to the bishop or his chancellor, the names and surnames of all the parishioners, as well men as women; which being at the age of sixteen years received not the communion at Easter before.

LXIV. *Ministers may present.*

Because it often comes to pass that the churchwardens, sidemen, questmen, and such others of the laity, as are to take care for the suppressing of sin and wickedness in their several parishes, as much as in them lieth, by admonition, reprehension, and denunciation to their ordinaries, do forbear to discharge their duties therein, either through fear of their superior, or through negligence more than were fit, the licentiousness of these times considered; we ordain, that hereafter every parson and vicar, or in the lawful absence of any parson or vicar, then their curates and substitutes may join in every presentment with the said churchwardens, sidemen, and the rest above mentioned, at the times hereafter limited, if the said churchwardens and the rest will present such enormities as are apparent in the parish; or if they will not, then every such parson and vicar, or in their absence, as is aforesaid, their curates may themselves present to the ordinaries at such times, and when else they think it meet, all such crimes as they have in charge otherwise as by them (being the person that should have the chief care for the suppressing of sin and impiety in their parishes) shall be thought to require due reformation. Provided always, that if any one confess his secret and hidden sin to the minister, for the unburthening of his conscience, and to receive spiritual consolation and ease of his mind from him; we do not any way bind the said minister by this our constitution,

tution, but do straitly charge and admonish him, that he do not at any time reveal, and make known to any person whatsoever, any crime or offence so committed to his trust and secrecy (except they be such crimes, as by the laws of this realm his own life may be called in question for concealing of the same) under pain of irregularity.

LXV. Ministers and churchwardens not to be sued for presenting.

Whereas for the reformation of criminous person, and disorders in every parish, the churchwardens, questmen, sidemen, and such other officers as are sworn, and the minister charged to present as well the crimes and disorders committed by the said criminous persons, as also the common fame which is spread abroad of them, whereby they are often maligned, and sometimes troubled by the said delinquents, or their friends; we do admonish and exhort all judges, both ecclesiastical and temporal, as they regard and reverence the fearful judgment seat of the highest judge, that they admit not in any of their courts, any complaint, plea, suit, or suits against any such churchwardens, questmen, sidemen, or other church officers, for making any such presentments, nor against any minister for any presentment he shall make, tending to the restraint of shameless impiety: and considering that the rules both of charity and government do presume, that they did nothing therein of malice, but for the discharge of their conscience.

LXVI. Churchwardens not bound to present oftner than twice a year.

No churchwardens, questmen, or sidemen of any parish shall be enforced to exhibit their presentments to any having ecclesiastical jurisdiction, above once in every year, where it hath been no oftner used, nor above twice in any diocese whatsoever; the bishop's visitation whereof to be one: for the which presentments of every parish church or chapel, the register of any court, where they are to be exhibited, shall not receive in one year above four pence, under pain for every offence therein of suspension from the execution of his office for the space of a month, toties quoties. Provided always, that as good occasion shall require it, it shall be lawful for every minister, churchwarden, and sideman to present offenders as often as they shall think meet; and likewise for any godly disposed person, or for any ecclesiastical judge upon knowledge, or notice given unto him or them of any enormous crime within his jurisdiction, to move the minister, churchwardens, or sidemen, as they tender the glory of God, and reformation of sin, to present the same, if they should find sufficient cause to induce them thereunto; that it may be in due time punished and reformed. Provided, that for these voluntary presentments there be no fee required or taken of them, under the pain foresaid.

LXVII. Churchwardens not to be troubled for not presenting oftner than twice a year.

No churchwardens, questmen, or sidemen shall be called or cited, but only at the said time or times before limited, to appear before any ecclesiastical judge whosoever, for refusing at other times to present any faults committed in their parishes, and punishable by ecclesiastical laws; neither shall they nor any of them, after their presentments exhibited at any of those times, be any further troubled for the same, except upon manifest and evident proof it may appear, that they did then wittingly and willingly omit to present some such public crime or crimes as they knew to be committed, or could not be ignorant, that there was then a public fame of them amongst divers honest and well reputed persons, or unless there be very just cause to call them for the explanation of their former presentments. In which case of wilful omission, their ordinaries shall proceed against them in such sort, as in causes of wilful perjury, in a court ecclesiastical, is already by law provided.

LXVIII. Convenient time to be assigned for framing presentments.

For the avoiding of such inconveniencies as heretofore have happened by the hasty making of bills of presentments, upon the days of the visitation and synods, it is ordered, that always hereafter every chancellor, archdeacon, commissary, and official, and every other person having ecclesiastical jurisdiction, at the ordinary time when the churchwardens are sworn; and the archbishops and bishops, when he or they do summon their visitation, shall deliver or cause to be delivered to the churchwardens, questmen, and sidemen of every parish, or to some of them such books of articles, as they, or any of them shall require for the year following, the said churchwardens, questmen, and sidemen to ground their presentments upon at such times, as they are to exhibit them. In which book shall be contained the form of the oath, which must be taken immediately before every such presentment. To the intent, that having before hand time sufficient not only to peruse and consider what their said oath shall be, but the articles also whereupon they are to ground their presentments; they may frame them at home both advisedly and truly, to the discharge of their own consciences, after they are sworn, as becometh honest and godly men.

LXIX. None to be cited into ecclesiastical courts by process of "Quorum nomina."

No bishop, chancellor, archdeacon, official, or other ecclesiastical judge, shall suffer any general process of "Quorum nomina" to be sent out of his court, except the names of all such as are thereby to be cited, shall be first expressly entred by the hand of the register, or his deputy, under the said processes; and the said processes and names be first subscribed by the

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the judge or his deputy, and his seal thereto affixed. And we do further ordain, that when any person appeareth upon citation whatsoever, that if the next court day after there be not articles, or a libel put in against him, he shall, then be dismissed with his costs.

LXX. Maturity required in proceeding.

No man for neglect of appearance shall be excommunicated for the first absence, but shall be cited again upon the same process; and if he cannot be found, nor afterwards appear upon "*viis et modis*," then to be decreed "*excommunicandum fore*." Yet for preventing such neglect, and that the party querelant may sustain no detriment; hereby it is likewise ordered, that in causes of instance upon the appearance of any such person, he shall pay the charge past, before he be admitted to stand "*rectus in curia*." And in the end of every court the names of those that are decreed, shall be publickly read, to the intent that they may avoid the danger of the fearful sentence of excommunication. Which course also we ordain shall be holden with those that be already denounced excommunicate, before the time of the signifying of their obstinacy; to the end they and others may be admonished of the danger in which they stand, and to the aggravation of their obstinacy, if they continue in the same.

LXXI. No sentence of deprivation or deposition to be pronounced against a minister, but by the bishop.

When any minister is complained of in any ecclesiastical court, belonging to any bishop, for any crime, the chancellor, commissary, official, or any other, having ecclesiastical jurisdiction (to whom it shall appertain) shall expediate the cause by processes and other proceedings against him; and upon contumacy for not appearing, shall first suspend him, and afterward (his contumacy continuing) excommunicate him. But if he appear and submit himself to the course of law, then the matter being ready for sentence, and the merits of his offence exacting by law either deprivation from his living, or deposition from the ministry; no such sentence shall be pronounced by any person whatsoever, but only by the bishop, with the assistance of his chancellor, the dean (if they may conveniently be had) and some of the prebendaries, if the court be kept near the cathedral church, or of the archdeacon, if he may be had conveniently, and two others at the least, grave ministers and preachers, to be called by the bishop, when the court is kept in other places. It is likewise ordered, that no chancellor, commissary, official, or any other person shall exercise any ecclesiastical jurisdiction over a minister in causes criminal, except he himself have been admitted into the holy orders of priesthood.

LXXII. No act to be sped but in open court.

No chancellor, commissary, archdeacon, official, or any other person using ecclesiastical ju-

risdiction whatsoever, shall speed any judicial act, either of contentious or voluntary jurisdiction, except he have the ordinary register of that court, or his lawful deputy; or if he or they will not or cannot be present, then such persons as by law are allowed in that behalf, to write or speed the same under pain of suspension, "*ipso facto*."

LXXIII. No court to have more than one seal.

No chancellor, commissary, archdeacon, official, or any other exercising ecclesiastical jurisdiction, shall, without the bishop's consent, have any more than one seal for the sealing of all matters incident to his office; which seal shall always be kept either by himself, or by his lawful substitute exercising jurisdiction for him, and remaining within the jurisdiction of the said judge, or in the city or principal town of the county. This seal shall contain the title of that jurisdiction, which every of the said judges, or their deputies do execute.

LXXIV. Convenient places to be chosen for keeping of courts.

All chancellors, commissaries, archdeacons, officials, and all others exercising ecclesiastical jurisdiction, shall appoint such meet places for the keeping of their courts, by the assignment or approbation of the bishop of the diocese, as shall be convenient for entertainment of those, who are to make their appearance there, and most indifferent for their travel. And likewise they shall keep and end their courts in such convenient time, as every man may return homewards in as due season as may be.

LXXV. Peculiar and inferiour courts to exhibit the original copies of wills into the bishops registry.

Whereas deans, archdeacons, prebendaries, parsons, vicars, and others, exercising ecclesiastical jurisdiction, claim liberty to prove the last wills and testaments of persons deceased within their several jurisdictions, having no known nor certain registers, nor public places to keep their records in; by reason whereof many wills, rights and legacies, upon the death, or change of such persons and their private notaries, miscarry and cannot be found, to the great prejudice of his majesty's subjects; we therefore order and enjoin, that all possessors and exercisers of peculiar jurisdiction shall once in every year exhibit into the public registry of the bishop of the diocese, or of the dean and chapter, under whose jurisdiction the said peculiars are, every original testament of every person in that time deceased, and by them proved in their several peculiar jurisdictions; or a true copy of every such testament examined, subscribed, and sealed by the peculiar judge and his notary. Otherwise, if any of them fail so to do, the bishop of the diocese, or dean and chapter, unto whom the said jurisdictions do respectively belong, shall suspend the said parties, and every of them from the exercise of all such peculiar jurisdiction, until they have performed this our constitution.

LXXVI. The

LXXVI. *The quality and oath of judges and surrogates.*

No man shall hereafter be admitted a chancellor, commissary, official, or surrogate, to exercise any ecclesiastical jurisdiction, except he be of the full age of six and twenty years at the least, and one that is learned in the civil and ecclesiastical laws, and is at the least a master of arts or bachelor of law, and is reasonably well practised in the course thereof, as likewise well affected and zealously bent to religion, touching whose life and manners no evil example is had; and except before he enter into or execute any such office, he shall take the oath of the kings supremacy in the presence of the bishop, or in the open court; and shall declare his consent by subscription to the two first canons of this present synod. And also shall swear, that he will to the uttermost of his understanding deal uprightly and justly in his office, without respect of favour or reward; the said oaths and subscription to be recorded by a register then present. And it is likewise ordered, that every register shall take the said oath of supremacy, and subscribe as aforesaid, before he be admitted to exercise that office. And also, all chancellors, commissaries, officials, registers, and all others that do now possess or execute any places of ecclesiastical jurisdiction or service, shall before Christmas next in the presence of the archbishop or bishop, or in open court, under whom or where they exercise their offices, take the same oaths. Or upon refusal so to do, shall be suspended from the execution of their offices, untill they shall take the said oaths.

LXXVII. *Proctors not to retain causes without the lawful assignment of the parties.*

None shall procure in any cause whatsoever, unless he be thereunto constituted and appointed by the party himself, either before the judge, and by act in court; or unless in the beginning of the suit he be by a true and sufficient proxy thereunto warranted and enabled. We call that proxy sufficient, which is strengthened and confirmed by some authentical seal, the parties approbation, or at least his ratification therewithal concurring. All which proxies shall be forthwith by the said proctors exhibited into the court, and be safely kept and preserved by the register in the public registry of the said court. And if any register or proctor shall offend herein, he shall be secluded from the exercising of his office for the space of two months, without hope of release or restoring.

LXXVII. *Proctors prohibited the oath "in animam domini sui."*

Forasmuch as in the probate of testaments, and suits for administration of the goods of persons dying intestate, the oath usually taken by proctors of court "in animam constituentis," is found to be inconvenient; we do therefore decree and ordain, that every executor or suitor for administration shall personally repair to

the judge in that behalf, or to his surrogate; and in his own person (and not by proctor) take the oath accustomed in these cases. But if by reason of sickness or age, or any other just let or impediment, he be not able to make his personal appearance before the judge; it shall be lawful for the judge (there being faith first made by a credible person of the truth of his said hinderance or impediment) to grant a commission to some grave ecclesiastical person, abiding near the party aforesaid, whereby he shall give power and authority to the said ecclesiastical person in his stead, to minister the accustomed oath abovementioned, to the executor, or suitor for such administration; requiring his said substitute, that by a faithful and trusty messenger he certify the said judge truly and faithfully, what he hath done therein. Lastly, we ordain and appoint, that no judge or register shall in any wise receive for the writing, drawing, or sealing of any such commission, above the sum of six shillings and eight pence; whereof one moiety to be for the judge, and the other for the register of the said court.

LXXIX. *Proctors not to be clamorous in court.*

Forasmuch as it is found by experience, that the loud and confused cries and clamors of proctors in the ecclesiastical courts in this kingdom are not only troublesome and offensive to the judge and advocates, but also give occasion to the standers by, of contempt and calumny toward the court itself; that more respect may be had to the dignity of the judge, than heretofore, and that causes may more commodiously be handled and dispatched; we charge, and enjoin, that all proctors in the said court do especially intend that the acts may be faithfully entred and set down by the register, according to the advice and direction of the advocate. That the said proctors refrain loud speech and brabbling, and behave themselves quietly and modestly, and that when either the judges or advocates, or any of them shall happen to speak, they presently be silent, upon pain of silencing for two whole terms, then immediately following every such offence of theirs. And if any of them shall the second time offend herein, and after due monition shall not reform himself, let him be for ever removed from his practice.

LXXX. *The oath "de calumnia" not to be refused.*

We ordain and appoint, that as well the actor, as his proctor and advocate (if they be required) shall take the oath "de calumnia," wheresoever in the suit the same shall be tendered before sentence, upon pain that the cause shall be dismissed by the judge, with costs for the party grieved.

LXXXI. *Abuses to be reformed in registers.*

If any register, or his deputy, or substitute whatsoever shall receive any certificate, without the knowlege and consent of the judge of the court,

court, or willingly omit to cause any persons cited to appear upon any court day, to be called or unduly put off, and defer the examination of witnesses to be examined by a day set, and assigned by the judge, or do not obey and observe the said judicial, and lawful monition of the said judge, or omit to write, or cause to be written such citations and decrees as are to be put in execution, and set forth before the next court day, or shall not cause all testaments exhibited into his office, to be registred within a convenient time; or shall set down or enact, as decreed by the judge, any thing false or conceited by himself, and not so ordered and decreed by the judge; or in the transmission of processses to the judge "ad quem," shall add or insert any falshood or untruth, or omit any thing therein either by cunning or by gross negligence, or in cases of instance, or promoted of office, shall receive any reward in favour of either party, or be of counsel directly or indirectly, with either of the parties in suit, or in the execution of their office, shall do ought else maliciously or fraudulently, whereby the said ecclesiastical judge or his proceeding may be slandered or defamed; we will and ordain, that the said register or his deputy, or substitute offending in all or any the premisses, shall by the bishop of the diocese be suspended from the exercise of his office for the space of one, two, or three months, or more, according to the quality of the offence. And that some other public notary do execute and discharge all things pertaining to his office, during the time of his said suspension.

LXXXII. A certain rate of fees to all ecclesiastical officers.

No bishop, suffragan, chancellor, commissary, archdeacon, official, or any other exercising ecclesiastical jurisdiction whatsoever, nor any register of any ecclesiastical courts, nor any minister belonging to any of the said offices, or courts, shall hereafter (for any cause incident to their several offices) take or receive any other or greater fee, than such as are or shall be allowed by lawful authority in this kingdom, under pain that every such judge, officer or minister offending therein, shall be suspended from the exercise of their several offices, for the space of six months, for every such offence.

LXXXIII. A table of the rates of fees to be set up in courts and registries.

We do likewise constitute and appoint, that the registers belonging to every ecclesiastical judge, shall place two tables, containing the several rates and sums of all the said fees, one in the usual place or consistory where the court is kept, and the other in his registry; and both of them in such sort, as every man whom it concerneth, may without difficulty come to the view and perusal thereof, and take a copy of them. And if any register shall fail to place the said tables according to the tenor hereof, within the space of a month after the same hath been delivered to him by the bishop of the diocese;

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he shall be suspended from the execution of his office, until he cause the same to be accordingly done. And the said table being once set up if he shall at any time remove, or suffer the same to be removed, hidden, or any way hindered from sight (contrary to the true meaning of this constitution) he shall for every offence be suspended from the exercise of his office, for the space of six months.

LXXXIV. The whole fees for shewing letters of orders, and other licences, due but once in every bishop's time.

Forasmuch as a chief and principal cause, and use of visitations is, that the archbishops, bishops, or other assigned by them to visit, may get some good knowlege of the state, sufficiency, and ability of the clergy, and other persons whom they are to visit; we think it convenient, that every parson, vicar, curate, schoolmaster, or other person licensed whosoever, do at the archbishop's or bishop's first visitation, or at the next visitation after his admission, shew and exhibit unto them his letters of orders, institution, and induction, and all other his dispensations, licences, or faculty whatsoever, to be by the said archbishops or bishops either allowed of, or (if there be just cause) disallowed and rejected; and being by them approved, to be (as the custom is) signed by the register. And that the whole fees accustomed be paid only once in the whole time of every archbishop or bishop; and afterwards but half of the said accustomed fees in every visitation, during the said bishop's continuance.

LXXXV. The number of apparitors restrained.

Forasmuch as we are desirous to redress such abuses and grievances, as are said to grow by sumners or apparitors; we think it meet, that the multitude of apparitors be (as much as is possible) abridged or restrained. Wherefore we decree and ordain, that no bishop, or archdeacon or their vicars or officials, or other inferior ordinaries shall depute, or have more apparitors to serve in their jurisdictions respectively, than one in every deanry at the most, besides the general apparitor of the bishop. All which apparitors, shall by themselves faithfully execute their offices; neither shall they, by any colour or pretence whatsoever, cause or suffer their mandates to be executed by any messengers or substitutes, unless it be upon some good cause to be first known and approved by the ordinary of the place. Moreover they shall not take upon them the office of promoters or informers for the court; neither shall they exact more or greater fees, than are in these our constitutions formerly prescribed. And if either the number of the apparitors deputed, shall exceed the foresaid limitation, or any of the said apparitors shall offend in any of the premisses; the persons deputing them, if they be bishops, shall upon admonition of their superior, discharge the persons exceeding the number so limited; if inferior ordinaries, they shall be suspended from the execution of their

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offices

offices, until they have dismissed the apparitors by them so deputed; and the parties themselves so deputed, shall for ever be removed from the office of apparitors. And if being so removed, they desist not from the exercise of their said offices, let them be punished by ecclesiastical censures, as persons contumacious. Provided, that if upon experience the number of the said apparitors be too great in any diocese in the judgment of the archbishop of the province, they shall by him be so abridged, as he shall think meet and convenient.

LXXXVI. *Parish clerks to be chosen by the minister.*

No parish clerk, upon any vacation, shall be chosen but by the parson or vicar, or where there is no presentative or collative parson or vicar, by the minister of that place for the time being; which choice shall be signified by the said minister, vicar, or parson to the bishop of the diocese, to be by him approved. And if the parson, vicar, or curate shall fail to make choice of such a man, and present him to the bishop, to be by him allowed, by the space of forty days after the vacancy; in such case, the bishop shall have power to nominate and appoint a clerk for that place. And the said clerk shall be of twenty years of age at the least, and known to the said parson, vicar, or minister to be of honest conversation, and sufficient for his reading, writing, and also for his competent skill in singing (if it may be) and, where the minister is an English man, and many Irish in the parish, such a one, as shall be able to read those parts of the service, which shall be appointed to be read in Irish (if it may be) and the clerks so chosen shall be resident, and perform their duties in their own persons. For which they shall receive their due wages without diminution at such times, as have been accustomed. And if any question do arise concerning the said custom or wages, the bishop of the diocese shall set an order therein.

LXXXVII. *The choice of churchwardens, and their accompt.*

All churchwardens or questmen in every parish shall be chosen on Monday or Tuesday in Easter week, by the joint consent of the minister and the parishioners (if it may be) but if they cannot agree upon such a choice, then the minister shall choose one and the parishioners another; and without such a joint or several choice, none shall take upon them to be churchwardens, neither shall they continue any longer than one year in that office, except perhaps they may be chosen again in like manner. And upon the next consistory day after such election, they shall take their oath before the bishop or his chancellor; and in case the parish shall fail to joyn, or elect as is aforesaid, the ordinary shall supply the defect. And all churchwardens, at the end of their year, or within a month after at the most, shall before the minister and parishioners give up a just accompt of such money as they have received, and also what par-

ticularly they have bestowed in reparations and otherwise for the use of the church. And last of all, going out of their office, they shall truly deliver up to the parishioners whatsoever money or other things of right belonging to the church or parish, which remaineth in their hands, that it may be delivered over by them to the next churchwardens by bill indented.

LXXXVIII. *The choice of sidemen, and their joint office with churchwardens.*

The churchwardens of every parish, and two or more discreet persons in every parish to be chosen for sidemen or assistants by the minister and parishioners, if they can agree (otherwise to be appointed by the ordinary of the diocese) shall diligently see, that all the parishioners duly resort to their church upon all Sundays and holydays, and there to continue the whole time of divine service, and none to walk or stand idle, or talking in the churchyard or churchporch, during that time. But especially they shall see, that in every meeting of the congregation, peace be well kept; and that all persons excommunicated, and so denounced, be kept out of the church, during the time of divine service. And all such as shall be found slack, or negligent in resorting to the church (having no great or urgent cause of absence) they shall earnestly call upon them; and after due monition (if they amend not) they shall present them to the ordinary of the place. The choice of which persons, viz. churchwardens, or sidemen or assistants, shall be yearly made in Easter week.

LXXXIX. *The old churchwardens to make their presentments before the new be sworn.*

The office of all churchwardens and sidemen, shall be reputed ever hereafter to continue, until the new churchwardens that shall succeed them be sworn, which shall be the first court after Easter, or according to the direction of the ordinary; which time so appointed, shall always be the time in every year, or one of the two times, when the churchwardens and sidemen of every parish shall exhibit to their several ordinaries the presentments of such enormities, as have happened in their parishes since the last presentments. And this duty they shall perform before the newly chosen churchwardens and sidemen be sworn; and shall not be suffered to pass over the said presentments, to those that are newly come into office and are (by intendment) ignorant of such crimes, under pain of those censures, which are appointed for the reformation of such dalliers and dispensers with their own consciences, and oaths.

XC. *The duty of churchwardens, touching such persons as are out of the church in the time of God's worship on Sundays or holydays.*

The churchwardens and their assistants shall warn inholders, taverners, victuallers, and alehousekeepers, that they sell no meat or drink, and that they receive none into their tavern or alehouse, all the time wherein there is preaching or

or celebration of divine service upon Sundays or holydays; if any do contrary upon contempt or stubbornness, they shall present both him and them, whom he received, by name in the next visitation. Also they shall see, that none of those light wanderers in markets, and pelting sellers, which carry about and sell pins, points, and other small trifles, whom they call pedlars, set out their wares to sale; and that no beggars or idle persons abide either in the churchyard, or near the church, all that time; but shall cause them either to come in or to depart.

XCI. *Their duty touching those persons that are in the church at that time.*

They shall also see, that in every meeting of the congregation peace be well kept, and that none behave themselves rudely or disorderly in the church. And to that end, they shall warn the people, that they bring not with them to the church dogs, hawks with bells, or children which are not so nurtured as they can be kept quiet in their seats, without running up and down. Neither shall they suffer any person to disturb the service or sermon, either by untimely ringing of bells, or by walking, talking, laughing, or any other noise, which may hinder the minister, or offend the people. And the names of all such as offend in this kind, they shall truly, and personally present in the ordinaries visitations.

XCII. *To keep the churches from being profaned at all other times.*

They shall suffer no plays, feasts, banquets, suppers, churchales, drinkings, exposing any wares to sale, temporal courts or leets, lay-juries, musters, commissions (other than for causes ecclesiastical) playing at ball, or any other profane usage, to be kept in the church, chapel, or churchyard; neither the bells to be rung either in the feast of All Souls, or upon any holydays or eves, abrogated by the book of Common Prayer, neither for months or twelve months minds, or remembrances of the dead, nor at any time at all prohibited by the bishop.

XCIII. *To see churches and churchyards kept in sufficient reparations.*

They shall take care and provide, that the churches be well and sufficiently repaired, and so from time to time kept and maintained; that the windows be well glazed, and that the floors be kept paved, plain, and even; and all things there in such an orderly and decent sort (without dust, or any thing that may be noisom or unseemly) as best becometh the house of God. The like care they shall take that the churchyards be well and sufficiently repaired, fenced, and maintained with walls, rails, and pales, as have been in each place accustomed, at their charge, unto whom, by law the same appertaineth.

XCIV. *To furnish all churches with things necessary for the celebration of divine service, preaching, and administration of the sacraments.*

They shall provide in every church, at the common charge of the parish two books of Common Prayer; one for the minister, and the other for the clerk, with all convenient speed; but at farthest, within six months after the publishing of these canons. And likewise the Bible of the last translation, set forth in the time of king James, of blessed memory. And where all, or the most part of the people are Irish, they shall provide also the said books in the Irish tongue, so soon as they may be had. The charge of these Irish books being to be born also wholly by the parish. They shall also at the same common charge provide a fit seat for the minister to read service in, a comely and decent pulpit, to be set in a convenient place for the preaching of God's word; and font of stone set in the ancient usual place for the ministration of baptism; together with a fair table, to be placed at the east end of the church or chancel, and a cup of silver for the celebration of the holy communion. Which table also shall stand covered in time of divine service with a carpet of silk, or other decent stuff, thought meet by the ordinary of the place (if any question be made of it) and with a fair linen cloth at the time of the ministration, as becometh that table.

XCV. *To provide things fitting for every communion, and to observe those that come, or come not to the same.*

Likewise they shall at the charge of the parish, against the time of every communion, with the advice and direction of the minister, provide a sufficient quantity of fine white bread, and of good and wholsom wine, for the number of communicants that shall from time to time there receive; which wine they shall cause to be brought to the communion table in a clean and sweet standing pot, or stoop of pewter, if not of purer metal. Also they shall mark, as well as the minister, whether all and every of the parishioners come so often every year to the holy communion, as the laws and our constitutions do require; and whether any strangers come often and commonly from other parishes to their church; and shall shew their minister of them, lest perhaps they be admitted to the Lord's table amongst others which they shall forbid, and remit such home to their own parish churches and ministers, there to receive the communion with the rest of their own neighbours.

XCVI. *To provide a chest for alms in every church.*

They shall provide and have, within three months next after the publishing of these constitutions, a strong chest with a hole in the upper part thereof, to be provided at the charge of the parish, having three keys; of which,

516 *Constitutions and canons made in the synod at DUBLIN.*

One shall remain in the custody of the parson, vicar, or curate; and the other two, in the custody of the churchwardens for the time being. Which chest they shall set and fasten in the most convenient place, to the intent the parishioners may put into it the alms for their poor neighbours. And the parson, vicar, or curate shall diligently from time to time (and especially when men make their testaments) call upon, exhort, and move their neighbours to confer and give (as they may well spare) to the said chest; declaring unto them, that whereas heretofore they have been diligent to bestow much substance otherwise, than God commanded, upon superstitious uses; now they ought at this time, to be much more ready to help the poor and needy: knowing, that to relieve the poor, is a sacrifice which pleaseth God; and that also, whatsoever is given for their comfort, is given to Christ himself, and is so accepted of him, that he will mercifully reward the same. The which alms and devotion of the people the keepers of the keys shall yearly, quarterly, or oftner (as need requireth) take out of the chest, and distribute the same in presence of most of the parish, or six of the chief of them, to be truly and faithfully delivered to their most poor and needy neighbours.

XCVII. *To abolish all monuments of superstition.*

Moreover they shall (with the approbation of the ordinary of the place) see, that all rood-lofts, in which wooden crosses stood, all shrines, and all coverings of shrines, and all other monuments of feigned miracles, pilgrimages, idolatry, and superstition be clean taken away and removed.

XCVIII. *None to teach school without licence; and curates desired to teach, to be licensed before others.*

It shall not be lawful for any to teach the Latin tongue, or to instruct children either in public school or private house, but such as shall be allowed by the ordinary of the place, under his hand and seal, being found meet as well for his learning and dexterity in teaching, as for sober and honest conversation; and also for right understanding of God's true religion (saving to all patrons and founders of schools the right of nomination) and in what parish soever there is a curate, which is a master of arts, or batche-

lor of arts, or is otherwise well able to teach youth, and will willingly so do, for the better encrease of his living, and training of children in the principles of true religion; we will and ordain, that the licence to teach grammar shall be granted to none by the ordinary of that place, but only to the said minister or schoolmaster. Provided always, that this constitution shall not extend to any parish, where there is a public school founded already. In which case, we think it not meet to allow any to teach grammar, but only him that is allowed for the said public school.

XCIX. *The duty of schoolmasters.*

All schoolmasters and ushers shall endeavour to train up the children committed to their charge, in good learning, civility, and piety. And in the Latin tongue they shall teach the grammar, set forth in England by king Henry the eighth, and so continued ever since, and none other. They shall also teach such other books, as shall be allowed and appointed by the bishop of the diocese. Provided, that according to the privilege granted to the university, near Dublin, logic and philosophy shall not be taught in grammar schools. Provided also, that none be admitted or licensed to be a schoolmaster or usher within this kingdom, unless he first by his subscription testify his consent to the two first canons. And also, that every archbishop, and bishop, and other ordinary, having ecclesiastical jurisdiction, shall by censures of the church respectively compel all such as are subject to their jurisdiction, which do now teach school, or hereafter shall presume to teach school, not having testified their consent by subscription as aforesaid, to desist from teaching of school.

C. *The authority of this national synod established.*

This sacred synod, being the representative body of the church of Ireland, in the name of Christ, and by the king's authority lawfully assembled, doth pronounce and decree, that if any within this nation shall despise and condemn the constitutions thereof (being by the said regal power ratified and confirmed) or affirm, that none are to be subject thereunto, but such as were present and gave their voices unto them; he shall be excommunicated, and not restored, until he shall publicly revoke his error.

Archiepisc. Cant.
GUIL. LAUD 2.

Anno Christi
1635.

Reg. Angliae
CAROL. I. II.

The archbishop of Canterbury's letter for relief of the poor ministers in the Palatinate. Reg. Laud fol. 224. b.

SALUTEM in Christo." My very good lord. It hath pleased his majesty, out of his princely compassion towards the distressed estate of the ministers in the Palatinate, to grant them his letters patents for a collection throughout this kingdom of the charitable contributions of well minded people towards their re-

lief; and though not many years past, they have had some former collections in this kind, yet having lately suffered sundry calamities by the continual incursions of their enemies, they are now in very low and dangerous estate, and with the same fears attending. These are therefore heartily to pray your lordship, that you will

Archb. letter for relief of the ministers in the PALATINATE. 517

will take care by some of your officers, that the briefs, which are herewith sent you by his majesty's command, be diligently dispersed into the several parishes within your diocese, and that the collection, which shall be made thereupon, be duly, carefully, and with all convenient speed returned to me, according to the tenor of his majesty's said letters patents. Thus not doubting of your best assistance and furtherance in a work so pious and full of

charity, I leave you to the grace of God, and rest

Your lordship's very loving friend and brother;

Lambeth, Maii 8.
M.DC.XXXV.

W. CANT.

I pray your lordship, upon the receipt of these my letters to take care, that the briefs be presently dispersed, and thereupon to give me notice in writing accordingly.

Archiepisc. Cant.
GUIL. LAUD 2.

Anno Christi
1635.

Reg. Angliae
CAROL. I. II.

Instructio in visitatione metropolitica reverendissimi domini Guilielmi, providentia divina Cant. archiepiscopi, etc. tenta in domo capitulari ecclesiae cathedralis sanctae Trinitatis Winton. die Veneris, decimo nono videlicet die mensis Junii, anno Domini M.DC.XXXV. per venerabilem virum, dominum Nathanielem Brent, legum doctorem, ac militem, vicarium dicti reverendissimi patris in spiritualibus generalem, ac commissarium specialem in hac parte legitime constitut. in praesentia mei Edwardi Cole, senioris, notarii publici, deputati Willelmi Sherman, notarii publici dicti domini archiepiscopi, registrarum principalis actuarii. Reg. Laud fol. 144. b.

I. IN PRIMIS praefatus dominus commissarius injunxit venerabili viro Johanni Young, S. T. P. decano et capitulo dictae ecclesiae cathedralis sanctae Trinitatis Winton. ad providend. quatuor vestes sacerdotales, Anglice "four copes," videlicet, duas earum hoc anno Domini, M.DC.XXXV. et alias duas vestes sacerdotales prox. anno sequente, videlicet M.DC.XXXVI.

II. Item dominus injunxit praefato venerabili decano et capitulo ad transcribendum et transmittendum praefato reverendissimo patri Cant. archiepiscopo veram copiam statutorum suorum, citra festum sancti Michaelis archangeli prox. sequent. hujusmodi visitationem.

III. Item dominus injunxit hortulum, in occidentali parte coemeterii dictae ecclesiae, citra mensem eradicand. omniaque aedificia infra muros dicti coemeterii in occidentali parte ejusdem et alibi diruenda fore, citra diem five festum beatae Mariae Magdalenae prox. sequent. anno Domini M.DC.XXXVI. et generaliter omnes limites dicti coemeterii praeservari et reparari.

IV. Item dominus injunxit venerabili de-

cano, et praebendariis, omnibusque et singulis aliis quibuscunque ob majorem reverentiam, in ingressu ad chorum, et egressu genu flectere, decenter et constanter stare tempore lectionis symbolorum.

V. Item dominus injunxit, quod nullus dicti chori praesumat legere epistolas five evangelium, nisi prius sit in sacris ordinibus constitutus, dictasque epistolas et evangelium indies legend. fore ad sacram mensam eucharistiae.

VI. Item dominus injunxit praefato decano et capitulo, quod majoribus festis et solennibus ipse decanus et praebendarii seriatim in personis suis propriis sacra peragant, dictasque epistolas et evangelium perlegant ad sacram mensam eucharistiae praedict.

VII. Item dominus injunxit, quod nemo praesumat ambulare in ecclesia tempore divinorum, vel federe coopertus in choro.

VIII. Item dominus injunxit, quod unus vergiferorum quotidie personaliter attendat in choro tempore divinorum et praedicationis verbi Dei.

Archiepisc. Cant.
GUIL. LAUD 2.

Anno Christi
1635.

Reg. Angliae
CAROL. I. II.

Orders enjoined by the most reverend father in God William, lord archbishop of Cant. his grace, primate of all England and metropolitan, to be observed by the master, warden, fellows, chaplains, and others of the college of St. Mary near the city of Winchester, made upon their answers unto the articles of enquiry given them in charge in his grace's metropolitical visitation there actually exercised anno Domini M.DC.XXXV. Ibid. fol. 147. b.

I. IN PRIMIS, That none who is incorporate a member of your college of what quality soever, do at any time, without a just impediment or constraining necessity, neglect his coming in due time unto morning and evening

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prayer in your chapel; and namely, that George Johnson, one of your fellows, be more diligent to perform his duty therein, than formerly he hath done.

II. Item, That the whole divine service, according

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according to the form of the book of Common Prayer, be always read on Sundays, and other solemn days, without omission of the Nicene creed, or any other part thereof.

III. Item, That your chapel be from time to time kept in good repair; the ornaments therein made seemly, your communion table comely and decently adorned; and also placed close to the east wall of your chancel, having the ends standing north and south, with a rail inclosing the same.

IV. Item, That your fellows and scholars commons be augmented according to the statute of provision, and fire allowed in your hall in the winter time, or such days as your statute doth require.

V. Item, That your warden for the time being, have from henceforth no allowance of diet, when he is absent from your college, unless your statutes do allow it unto him.

VI. Item, That your warden, fellows, and chaplains, and other the officers of your college do usually frequent your college hall at meal times, and take their diet there, as your statutes do enjoin; and that none be suffered to carry their commons to private houses.

VII. Item, That your college gates be every day shut up at due and appointed times, and that none be permitted to come in or go out in the night season, without consent of the governors of your college, and upon special and urgent occasion.

VIII. Item, That that fellow of your college, that is rider for the keeping of the courts, be from time to time made acquainted with all

finer and grants of copy holds belonging to your college; and the true accounts be thereupon duly given up unto those that are appointed by your statutes to receive them.

IX. Item, That your warden make satisfaction for the unnecessary charge he hath put your college to, in building himself lodgings, a stair case, and balcony window, and for the college money he expended in furniture for those his lodgings and buildings, amounting (as we are informed) to ccxxl.

X. Item, That the allowance agreed upon in the lord archbishop Bancroft's time, our worthy predecessor, be observed by your warden, and others the members and officers of your college, being very favourable on the warden's behalf; and that the ten pounds, which your warden yearly takes for wine, be bestowed, as is appointed by your college statutes.

XI. Item, That such reverence be used in your chapel, both in your access thereunto, and recess therefrom, and also in service time, as is practised in cathedral churches, and is not dissonant to the canons and constitutions of the church of England; and that no fellow, or others belonging to your college, of what degree soever, presume to come thither without his cap and hood.

XII. Item, We require that these our injunctions be carefully registred and observed.

In witness hereof we have hereunto put our archiepiscopal seal. Given at our manor of Lambeth the 28th day of May in the year of our Lord M.DC.XXXV. and in the second year of our translation.

Archiepisc. Cant.
GUIL. LAUD 3,

Anno Christi
1635.

Reg. Angliae
CAROL. I. II.

Orders enjoined by the most reverend father in God William, lord archbishop of Cant. his grace, primate of all England and metropolitan, to be observed by the dean, and chapter, and others of the cathedral church of Gloucester, made upon their answers to the articles of enquiry given them in charge in his grace's metropolitanical visitation, depending in the diocese of Gloucester anno Dom. M.DC.XXXV. Reg. Laud. fol. 236.

I. **I**N PRIMIS, That the church evidences and muniments shall not be kept abroad, in the city, or elsewhere, in any particular or private mans hands, but that they shall be kept in some private room within the limits of the church, and particularly in the room which anciently was assigned unto them, and was of late detained by Mr. Aisgill, as a part of his prebendal lodgings; and the chapter clerk, by consent of the dean and chapter, shall have a key to that room, and make a catalogue of all these evidences, that come to his hands, together with a repertory of the matters therein contained, for the use of the dean and chapter aforesaid.

II. Item, That none of those, who preach in your cathedral church, either in their turns or otherwise at any other time, do in their prayers before their sermons omit any one particular commanded in the five and fiftieth constitution

of the late canons published in anno Domini M.DC.IV. mentioned in the twelfth article of inquiry ministred unto you in our said visitation.

III. Item, That no place or office belonging to your church, of what sort, or on what condition soever, shall at any time hereafter be granted in reversion.

IV. Item, that those of the choristers and other ministers of your church, who are disorderly, unruly, and wilfully negligent in performance of their several duties, and do not after wholesom admonition or correction reform their lives, and conform their manners, be expelled their places, that no unseemliness or disorder may from henceforth any way offend your church; and namely, that Thomas Long and Richard Long, two of your choristers, who are presented for incorrigible boys, be forthwith removed from their places, or stations in your

your church, and other chosen in their rooms.

V. Item, That your petty canons, and singing men have all right done unto them concerning their houses, whereof they make complaint unto us in their answers, that they have received but hard measure; and therefore we require an account from you touching the same, and that you search your registry for an act concerning those houses made by me, when I was dean of your church; and if you find that any such were made, to transcribe it, and with the afore-said account to signify, how it hath been since observed, that, as we shall see cause, we may take further order for them.

VI. Item, That you keep your church, and churchyard from all manner of profanation, and suffer no encroachments to be made thereon; and if any such be, by houses there already built, or by dung miskins, or any other means, to certify unto us the manner of the offence, and the names of the offenders, that, as is fit, we may provide a remedy for restitution thereof unto the former consecrated uses.

VII. Item, That the almsmen and officers of your church, who do not daily frequent divine service in your church, having no just impediment to hinder them, be taken notice of, and presented either to us or your ordinary, that they may receive condign punishment for such their neglect, or at least that his majesty may

be informed, in whose gift they are, to the end they may be better regulated hereafter.

VIII. Item, In regard it is his majesty's express pleasure, that the bodies of cathedral churches should not be pestered with standing seats, contrary to the course of cathedrals, and the dignity of those goodly piles of building; we must and do require you, that all standing and fixt seats, as well those where the mayor and aldermens wives use to sit, as other between the pillars, be taken down, and other moveable one's fitted in their rooms, according to such directions as we gave to the dean by our late letters written to him; but the seat where the mayor and his brethren used to sit in sermon time, as also that where the dean and prebends used to sit, because to our knowlege they are without blemish to the church, and more convenient than they can any where else be placed, we do hereby require, that they be left standing to the use aforesaid.

IX. Item, we require, that these our injunctions be carefully registred and observed.

In witness hereof we have hereunto put our archiepiscopal seal. Given at our manor of Lambeth the twentieth day of February, in the year of our lord God, according to the computation of the church England, one thousand six hundred thirty and five, and of our translation the third.

Archiepsc. Cant.
GUIL. LAUD 3.

Anno Christi
1635.

Reg. Angliae
CAROL. I. II.

Orders enjoined by the most reverend father in God William, lord archbishop of Cant. his grace, primate of all England and metropolitan, to be observed by the dean and chapter of Worcester, made upon their joint and several answers unto the articles of enquiry given them in charge in his grace's metropolitcal visitation, depending in the diocese of Worcester anno Domini M.DC.XXXV. Reg. Laud fol. 237. a.

I. **I**NPRIMIS, That all your prebendaries, and other ministers of your church be continually resident on their several places, as the statutes of your church require.

II. Item, That none be admitted into any place of your quire, before he be first approved of for his voice and skill in singing by such of your church, as are able to judge thereof; and that the places there, as they fall void, be supplied with men of such voices as your statutes require.

III. Item, That hoods, square caps, and surplices be constantly used, according to the canon in that behalf provided, by the dean, residentiaries, petty canons, and other ministers belonging to your church, whensoever they come to administer, or hear divine service.

IV. Item, That no timber trees growing upon the ground be hereafter sold, wasted, or made away, but that they be with care preserved for the only use and repair of the church.

V. Item, That your choristers be duly and diligently catechised; which hath been formerly too much neglected.

VI. Item, That your churchyard be decently

and without profanation kept, and that you take care, that the bones of the dead may not lie scattered up and down; but that they be gathered together and buried, and that the chapel, called "capella carnaria," situate at the entry of your cathedral, now profaned and made a hay barn, be restored and imployed to the wonted use; and that the encroachments made upon the churchyard, and other hallowed ground about your church, be likewise restored, and laid open for those ancient uses, to which they were dedicated.

VII. Item, That as much as in you lies, you prevent the common throughfare made through your close.

VIII. Item, That the muniments, which concern the public state of your church, be presently taken from every particular and private person, that hath any of them in his custody; and that for ever hereafter they be carefully preserved and kept together in some convenient place, which shall be thought fit for that purpose by the dean and chapter.

IX. Item, That your porters, sexton, and other your church officers do, if they be able, serve

520 *Orders enjoined to the dean and chapter of WORCESTER.*

serve their places in their own persons.

X. Item, We require that these our injunctions be carefully registred and observed.

In witness hereof we have hereunto put our archiepiscopal seal. Given at our manor of

Lambeth the twentieth day of February, in the year of our Lord God, according to the computation of the church of England, one thousand six hundred thirty and five, and of our translation the third.

r chiepsc. Cant.
GUIL. LAUD 3.

Anno Chriisti
1635.

Reg. Angliae
CAROL. I. II.

Orders enjoined by the most reverend father in God William, lord archbishop of Cant. his grace, primate of all England and metropolitan, to be observed by the dean and chapter of the cathedral church of Norwich, made upon their answers unto the articles of enquiry given them in charge in his grace's metropolitan visitation, depending in the diocese of Norwich anno Domini M.DC.XXXV. Reg. Laud fol. 237. b.

I. **I**N PRIMIS, That no almsmen, or other, that have any dependance on your church, shall enjoy the profits of their places, until they have taken an oath to observe the statutes of your church.

II. Item, That your minor canons, though not graduates, do wear square caps together with surplices, when they come to administer divine service in your quire.

III. Item, That that part of your churchyard, which with your leave is inclosed, and made a garden, be laid to your churchyard again, and special care taken, that it be kept without profanation for the time to come.

IV. Item, That all postern doors into your

churchyard be stopped up, though the houses, unto which they belong, be out in lease.

V. Item, That you be careful to set up the bishop's consistory in some convenient place towards the west end of your church; but that no door or window be thereby hindered or defaced.

VI. Item, We require that these our injunctions be carefully registred and observed.

In witness hereof we have hereunto put our archiepiscopal seal. Given at our manor of Lambeth the twentieth day of February, in the year of our Lord God, according to the computation of the church of England, M.DC.XXXV. and of our translation the third.

Orders enjoined by the most reverend father in God William, lord archbishop of Cant. his grace, primate of all England and metropolitan, to be observed by the dean and chapter of Lichfield, made upon their answers unto the articles of enquiry given them in charge in his grace's metropolitan visitation depending in the diocese of Coventry and Lichfield anno Domini, M.DC.XXXV. Ibidem.

I. **I**N PRIMIS, That the two pair of organs in your church, which are much defective, be speedily amended, and if it will stand with the grace of your church, and be more convenient and useful for your quire (as we conceive it will) that you put them both in one, and make a chair organ of them.

II. Item, That the frame of your great bells, which is much decayed, be substantially repaired without delay.

III. Item, That William Unit, — Aspley, and Richard Adams, lay men, and having no place in the church, who shewed themselves among your petty canons in their college, where they live as inmates, on purpose to free themselves from undergoing of offices in the commonwealth necessary for his majesty's service, be forthwith discharged from their dwellings or lodgings in the said college, that they may live publickly amongst other lay men, and bear such offices as shall necessarily and fitly be imposed on them, as the governors of that college will answer it at their perils: and that no man of the like condition be at any time received there again.

IV. Item, That that part of the choristers house, which is leased out, be taken in again by

giving some reasonable consideration (if peaceably it may be so done) but if the lessee shall be obstinate, and not condescend to such a fair offer, then that you send up word either to our self or our vicar general, that we may think of some other course to be taken.

V. Item, That your churchyard walls, where they are broken or decayed, be made up again, and firmly repaired.

VI. Item, That you take care, as much as in you lies, of your church close, that it be not made a throughfare for carriages, or any other way profaned; and if any will be wilful and obstinate to abuse that place, that you take notice by sufficient witnesses of the persons, and the manner of their abuse, and return their names unto us, that they may be called to answer their ill carriage and unruliness in the high commission court.

VII. Item, We require that these our injunctions be carefully registred and observed.

In witness hereof we have hereunto put our archiepiscopal seal. Given at our manor of Lambeth the 20th day of February, in the year of our Lord God M.DC.XXXV. and of our translation the third.

Orders

Orders enjoined to the dean and chapter of CHICHESTER. 521

Archiepisc. Cant.
GUIL. LAUD 3.

Anno Christi
1635.

Reg. Angliae
CAROL. I. II.

Orders enjoined by the most reverend father in God William, lord archbishop of Cant. his grace, primate of all England and metropolitan, to be observed by the dean, prebendaries, and others of the chapter of the cathedral church of Chichester, made upon their joint answers unto the articles of enquiry given them in charge in his grace's metropolitical visitation depending in the diocese of Chichester anno Domini M.DC.XXXV. Reg. Laud fol. 238.

I. **I**N PRIMIS, That none of your prebendaries, residentiary or at large, do at any time come into your quire to hear divine service or sermons, without a surplice, or without square caps, and hoods fit for their degrees.

II. Item, That all houses, rooms, stables, and outbuildings, belonging to any of your church, be kept in good repair; and particularly that the house lately belonging to Dr. Andrewes, your chancellor, the stable, and some other rooms belonging to bishop Shirburn's prebendaries, and also the hall and kitchen belonging to the corporation of your vicars choral, be well repaired without delay, and so maintained hereafter.

III. Item, That that plot of ground, called Paradise, adjoining to your church, and within your cloisters, which hath been heretofore a burying place, and is now by reason of a lease thereof, made by your predecessors, converted into a private garden, be by some fair means restored, and reduced into its pristine and consecrated use; and if the lessee shall be obstinate and unreasonable in restitution of it, that you give us notice thereof.

IV. Item, That you use some means with Mr. Peter Cox, an alderman of the city of Chichester, that the piece of ground called "Campus," now in his possession, be laid open again, that the scholars of your free school may have liberty to play there, as formerly they have had time out of mind; and if he shall refuse, to give us notice, or our vicar general, upon what reason and ground he doth it.

V. Item, That bishop Shirburn's four pre-

bendaries do from henceforth keep residence on their prebends, as is appointed by their founder's statutes, and as by oath they are tied.

VI. Item, That you provide copes fitting for the service of your cathedral, by one a year until you be sufficiently furnished with them.

VII. Item, That Mr. Nutt, and Mr. Southcot yield up, without delay, what they have encroached upon in your churchyard, that it may be applied to the right use.

VIII. Item, That no postern doors into the churchyard be suffered.

IX. Item, That the meetings and hospital invitations anciently observed by your residentiaries, and by them kept quarterly for the quire be still maintained; or else, instead of those invitations, that the same mony be still given by the residentiaries, by way of perdition; which I am informed some of them have lately begun to give, so that the quire acknowledge it to be a benevolence, and that they carry themselves in that respectful manner to the residentiaries, as befits them to do.

X. Item, That the stall-wages be restored to the vicars choral, due to them for doing service all the year at the high altar.

XI. Item, We require that these our instructions be carefully registred and observed.

In witness hereof we have hereunto put our archiepiscopal seal. Given at our manor of Lambeth the twentieth day of February, in the year of our Lord God (according to the computation of the church of England) M.DC.XXXV. and of our translation the third.

Orders enjoined by the most reverend father in God William, lord archbishop of Cant. his grace, primate of all England and metropolitan, to be observed by the dean and chapter and other of the cathedral church of Peterborough, alias Borough St. Peter, made upon their answers unto the articles of enquiry given them in charge in his grace's metropolitical visitation depending in the diocese of Peterborough A. D. M.DC.XXXV. Ibid.

I. **I**N PRIMIS, That the encroachment of three yards in length, and about five yards in breadth, made upon your churchyard, and enclosed for the enlargement of one of your prebendaries gardens, be presently laid open, and the ground restored to the former use, and that care be taken that all other indecent usage and profanation of your churchyard be speedily redressed.

VOL. IV.

II. Item, That a consistory be erected in some convenient place towards the west end of your cathedral church, wherein cases reserved and proper unto the lord bishop's audience, may be debated and determined; but not to prejudice the country thereby, by calling men that live far remote (the shire being very long) to make their appearance there, and answer unto such matters as have been usually, and

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may

522 *Orders enjoined to the dean and chapter of PETERBOROUGH.*

may be conveniently tried in other parts of the diocese.

III. Item, That enquiry be made after the executors or administrators of dean Fletcher, that some satisfaction may be had from either by a fair composition, or by compulsion of the law, for that great bell, which through his means, in his name, was taken away; and that the ring of bells, which wants repair, be suddenly amended, and that you give us an account of your doing herein.

IV. Item, That those of your quire, who are defective in skill or voice, be removed, and some others more worthy taken into their places, unless they use means to better their own ability, or provide that their rooms be sufficiently supplied, and the condign punishment be inflicted on such as are negligent in doing their services.

V. Item, That (until you have received statutes which shall be provided for your church) you be regulated and governed by the injunctions of archbishop Parker, our worthy predecessor, and your own decrees made by common consent, as is the use and custom amongst you.

VI. Item, That the fifty three pounds, six shillings, and eight pence, allowed by your donation, to be yearly employed in reparations in general, be not so wholly bestowed on other things, though perhaps in some sort necessary, as that the repair of the church itself be neglected; and if the twenty pounds a year contained in your said dotation (which you answer you

do not receive) be by any unjust or indirect means detained from you, upon knowledge thereof, we shall yield you all just and fit assistance for recovery of the same.

VII. Item, That enquiry be made after the executors or administrators of Mr. Dove, sometime the fifth prebendary in your church, that satisfaction may be had from them for unmanly taking away a pair of gates set up by the the said Mr. Dove betwixt a new wall by him erected, about an inclosure of a parcel of ground taken in, to make a backside or garden for the house belonging to his prebend; and another wall inclosing a little parcel of ground belonging to the third prebendary's house, through want of which gates great annoyance by the defilement of some nasty people is brought upon the inhabitants thereabouts, and that consecrated ground intolerably profaned. Wherefore we require you to make speedy recourse unto the said executors or administrators, and return unto us an account of their answers, that thereby (as we shall find cause) we may provide a remedy for redress of so abusive an injury.

VIII. Item, We require that these our injunctions be carefully registred and observed.

In witness hereof we have hereunto put our archiepiscopal seal. Given at our manor of Lambeth the twentieth day of February, in the year of our Lord God (according to the computation of the church of England) M.DC.XXXV. and of our translation the third.

Archiepisc. Cant.
GUIL. LAUD 3.

Anno Christii
1635.

Reg. Angliae
CAROL. I. II.

A form of penance and reconciliation of a renegado or apostate, from the christian church, to Turcism. Reg. Laud fol. 240. a.

I. **L**ET the offenders conviction be first judicially had before the bishop of the diocese, so that his detection or confession, may stand "apud acta" and that thereupon an excommunication be decreed and denounced both in the cathedral and the parish church, where he lives; yet so as that upon his submission there in court, he may be absolved "in diem," and the form of his penance enjoined him in manner following.

II. Let the minister of the place have frequent conference with the party in private; lay open and aggravate the heinousness of his sin both in respect of God, the church, and his own soul; and see whether his conscience be troubled with any other grievous crime, that so he may be the better fitted for absolution of all together.

III. Let there be an order decreed in court, referring him to the minister of the place, to see his penance performed accordingly, and to reconcile him to the church, and let that order be published in the parish church on a Sunday at morning prayer, next before the communion service.

IV. The next Sunday following, let the offender be appointed to stand all the time of divine service and sermon in the forenoon, in the porch^a of the church, if it have any, if none, yet without the church door, if extremity of weather hinder not, in a penitent fashion in a white sheet, and with a white wand in his hand, his head uncovered, his countenance dejected, not taking particular notice of any one person that passeth by him, and when the people come in, and go out of the church, let him upon his knees humbly crave their prayers, and acknowledge his offence in this form, "Good christians remember in your prayers a poor wretched apostate or renegado."

V. The second Sunday let him stand in the church porch, and in his penitential habit as before, and then after the "Te Deum" ended, let him be brought in by one of the churchwardens, so far as to the west side of the font of the said church; there let him penitently kneel till the second lesson be ended, then let him make his submission, and ask mercy of God in the form following:

"O Lord God of heaven and earth, be mer-

^a Order must be taken that boys and idle people flock not about him.

ciful unto me most wretched sinner^b. I confess, O Lord, I have justly deserved to be utterly renounced by thee, because I have yielded to renounce my saviour, and that holy profession, which I had formerly made of his name, whereby I was received into thy church. O God, forgive me this heinous and horrible sin, with all other my grievous sins against thee, and let me, upon thy gracious pardon and infinite mercy, be restored to the right and benefit of this blessed sacrament, which I have so wickedly abjured and be received (tho' most unworthy) into thy gracious favour, and the communion of thy faithful people, even for thy great mercy's sake in Jesus Christ my blessed Lord and saviour."

Which done, let him in an humble and devout manner kiss the bottom stone of the font, strike his breast, and presently depart into the church porch as before.

VI. The third Sunday, let him at the beginning of divine service be brought into the body of the church, and be placed near unto the minister's pew, and there let him stand in his penitential habit, during the time of divine service; where the minister immediately before the Apostles Creed shall publicly put the offender in mind of the foulness of his sin, and stir him up to a serious repentance, advising him, that a slight and ordinary sorrow is not enough for so grievous an offence.

Which done, the minister shall ask the penitent publicly, whether he hath found, a true and earnest remorse in his soul for his sin; and whether he hath thoroughly humbled himself before God for it; and whether he doth desire that the whole congregation should take notice of his humiliation and unfeigned repentance.

In signification whereof, the offender shall say these words, or to the like effect, after the minister:

"I do here in the presence of almighty God and before you his faithful people, humbly and penitently confess, that I have grievously offended the majesty of God, and deeply wounded my own soul, in that I so far yielded to the weakness of my sinful flesh, as that I suffered myself thro' the cruelty of God's enemies to be miscarried to the renouncing of my dear saviour, and the true christian religion, wherein I was brought up. I do well know, what I have deserved both at the hands of God and of his church for this wicked and graceless act, and now as I have often betwixt God and my own soul washed this sin with my tears, and craved his merciful forgiveness; so I beseech you all to take knowlege of this my public sorrow and humiliation, and both to pardon and forgive that just offence, which I have herein given to you also, and the whole church of Christ, and also to join with me in humble and hearty prayers to almighty God, that he will be pleased to seal unto my soul the full pardon

and remission of this my grievous sin, even for the sake of his dear Son my blessed saviour and redeemer. In whose name and words, I desire you to accompany these my prayers, saying with me: Our Father, etc."

After this the minister shall speak to the congregation to this effect:

"Seeing now, dear christian brethren, that this offender hath given so good and full testimony of his true repentance, and hath so humbly and fervently craved the forgiveness of God and his church, I shall not need to use many words in persuading you how ready you ought to be, both to conceive full hope of God's gracious pardon of him, as who is always ready to prevent and meet us in our turning to him, and also to profess your forgiveness of him, for so much as concerneth his offence toward you, and charitably to embrace him with the arms of tender pity and compassion, as a true christian convert to his saviour, and gladly to welcome him into that holy communion, which his sinful fear and frailty caused him to forsake. Now therefore I do earnestly beseech you, in the bowels of Jesus Christ our blessed saviour, to pass by the great offence of this sorrowful penitent, as well considering the weakness of our frail nature, when it is overpressed with violence, and extremity of torments, and both to commiserate his fearful apostacy, and to encourage and comfort him in this happy return to Christ and his church."

VII. Here let the penitent kneel down again eastward, and bowing to the very pavement, let him say thus, either by himself, if he be able to read it, or else after the minister:

"O my soul bless the Lord; blessed be the Father of mercies, and the God of all consolation; blessed be the Lord Jesus the Son of God, the saviour of the world; blessed be thy holy Spirit, God the Holy Ghost; blessed be the Holy Trinity, one God everlasting; blessed be the holy catholic church, and all you the servants of the Lord Jesus Christ; the name of God be blessed evermore for the assembly of his saints, and for the divine ordinances of his holy word and sacraments, and of his heavenly power committed to his holy priests in his church, for the reconciliation of sinners unto himself, and the absolving of them from all their iniquity. Lo here I upon the bended knees of my body and soul most humbly beg the assistance of all your christian prayers, and the benefit of that his holy ordinance; and I meekly beseech you, sir, as my ghostly Father, a priest of God, and the church's deputy, to receive me unto that grace, and into the bosom of the church, and by loosing me from the bands of my grievous sins, to make me partaker of that inestimable benefit, and so to reconcile me unto the mystical body of Christ Jesus my Lord and saviour."

Then let the priest come forth to him, and stand over him, and laying his hand on his head,

^b This said, let him smite his breast three times.

^c Let him name here himself both by his christian and his surname.

say as is prescribed in the book of Common Prayer, thus:

"The Lord Jesus Christ, who hath left power to his church to absolve all sinners, which truly repent and believe in him, of his great mercy forgive thee thine offences; and by his authority committed to me, I absolve thee from this thy heinous crime of renegation, and from all other thy sins, in the name of the Father, of the Son, and of the Holy Ghost.

Then let the priest, turning himself eastward, kneel down in the same place, the penitent kneeling behind him, and say the collect, which stands after the absolution in the visitation of the sick, but changing the latter part of it thus:

"O most merciful God, who according to the multitude of thy mercies dost so put away the sins of those, which truly repent, that thou remembereest them no more; open thy eye of mercy upon this thy servant, who most earnestly desireth pardon and forgiveness; renew in him, most loving Father, whatsoever hath been decayed by the fraud and malice of the devil, or by his own carnal will and frailness; preserve and continue him in the unity of the church, consider his contrition, and accept his humiliation; and forasmuch as he putteth his full trust only in thy mercy, impute not unto him his former abnegation of thee, but receive

him into thy favour, through the merits of thy most dearly beloved Son Jesus Christ our saviour. Amen."

After that, let the minister take him up, and take away his white sheet and wand, and taking him by the hand say unto him:

"Dear brother (for so we all now acknowledge you to be) let me here advise you, with what care and diligence every day of your life you ought, to consider, how much you are bound to the infinite goodness of God, who hath called you out of that woful condition whereinto you had cast yourself, and how much it concerneth you ever hereafter to walk worthy of so great a mercy, being so much more careful to approve yourself in all holy obedience to God, by how much you have more dishonoured and provoked him by this your shameful revolt from him, which the same God the Father of mercies vouchsafe to enable you unto, for the sake of the dear Son of his love, Jesus Christ the righteous. Amen."

After this, let him be openly promised, that upon any communion day following he shall be admitted to the holy sacrament; for which let him be directed to prepare himself, and when he receives let him make a solemn oblation according to his ability, after the order set down in the service book.

Archiepisc. Cant.
GUIL. LAUD 3.

Anno Christi
1636.

Reg. Angliae
CAROL. I. 12.

The petition of the dean and chapter of St. Paul's London about the archbishop of Canterbury's visitation. Reg. Laud fol. 163. a.

To the king's most excellent majesty.

THE humble petition of the dean and chapter of the cathedral church of St. Paul London, humbly sheweth unto your sacred majesty, that whereas the lord archbishop of Cant. his grace, by his summons to that purpose, directed to us the dean and chapter of St. Paul, hath signified his grace's purpose by his metropolitanical power to visit the said church.

And whereas it doth not appear by any records belonging to his grace or the church, that the dean and chapter have ever been visited by any metropolitanical power, notwithstanding the rest of the diocese hath been so visited.

And whereas the said dean and chapter do acknowledge, that they hold immediately from your majesty all their privileges, which they take themselves bound by oath to preserve entire, so far as in them lieth, but withal most tender in all things to shew themselves obedient to your majesty's pleasure, and the present government of the church; do humbly beseech your majesty you would be graciously pleased to take the premisses into your royal consideration, and to give such order herein, as your majesty in your wisdom shall think fit.

And your petitioners, as in all duty they are bound, shall ever pray, etc.

At the court at Whitehall April 27. M.DC.XXXVI.

His majesty approves well of the modesty of these petitioners, but withall is resolved, for the settlement of peace and good order in the church, that no place, without special grounds of privilege, shall be exempt from archiepiscopal visitation, and least of all this church of St. Paul, in regard it appears by their own suggestions, that the rest of the diocese hath been visited; and "de jure ordinario" it is known, that the archbishop or bishop ought to begin his visitation at the cathedral, and they can shew no act in any their registers, that the archbishops did not visit the church at the same time, when they visited the diocese; and therefore his majesty requires submission of the dean and chapter to the visitation of the present archbishop of Cant. and of his successors, and wills that this be registred both in the archbishop's office and in their own accordingly.

JOHN COKE.

Archiepsc. Cant.
GUIL. LAUD 3.

Anno Christi
1636.

Reg. Angliae
CAROL. I. 12.

The archbishop of Canterbury's right of visiting the two universities debated and determined in council. Reg. Laud fol. 246. b.

At the court at Hamptoncourt the 21st of June
M.DC.XXXVI.

Present

The king's most excellent majesty.

Lord archbishop of Cant.	Lord Chamberlain.
Lord Keeper.	Ea. of Dorset.
Lord Treasurer.	Ea. of Holland.
Lord Privy Seal.	Ea. of Morton.
Lord duke of Lenos.	Ea. of Sterline.
Lord marquis Hamilton.	Lord V. Wentworth.
	Mr. Treasurer.
	Mr. Vicechamberlain.

Mr. secretary Windebank.

THIS day his majesty sitting in council was graciously pleased to hear and determine a difference and debate lately risen between the lord archbishop of Cant. his grace, and the two universities of England, concerning the right of visiting the said universities "jure metropolitico," in the presence of the lord archbishop of Cant. being also chancellor of the university of Oxon; and of the earl of Holland, chancellor of the university of Cambridge, and of persons sent and authorized by each of the said universities; and of the council of all the said parties. In the first place it was of all sides acknowledged to be the undoubted right of the crown to visit the said universities, whensoever his majesty pleaseth; and it was on all parts confessed that the archbishop, in right of his metropolitical church of Cant. hath power to visit his whole province, in which the said universities are situate, and are under the same power, unless they could shew privilege and exemption, which they then offered to shew; but were not such as did, or could give satisfaction; and his majesty upon full hearing of the proofs on both sides, and great consideration had of them, declared: That by no papal bull they could be exempted; and likewise that by none of the charters they were exempted; and lastly the omission of the archbishops to visit, since the visitations shewed unto his majesty could no way in this case be a prescription, to bar the right of the metropolitical see. But it appeareth to his majesty, for and in affirmance of the right of the archbishop, that actually both the universities had been visited by three of his predecessors "jure metropolitico," and not by any legatine power; and that the metropolitical right coming in question upon the resistance of the university of Oxon to be visited by the archbishop, it was upon great advice and full hearing of both parties adjudged for the archbishop by his majesty's predecessors king Richard II.

and afterwards upon a like rehearing and reexamination, adjudged and affirmed by king Henry IV. and both of them judgments upon a third and full reexamination established by act of parliament XIII. Hen. IV. now shewed by the archbishop, under the great seal of king Henry IV. and the archbishop produced before his majesty the original renunciation of all privileges from any pope by the university of Cambridge, under the hands of the heads of houses there. Upon which right so clearly appearing, both by practice and resolution of the kings and parliament, his majesty with the advice of his council, declared and adjudged the right of visiting both universities as universities, and the chancellors, scholars, their servants, and all others enjoying the privileges of the said universities, to belong to the archbishop and metropolitical church of Cant. by themselves or commissaries, and that they shall be from time to time obedient thereunto. Whereupon the archbishop made an humble motion to his majesty; first for himself that he would be graciously pleased, that he might have this sentence drawn up by advice of his majesty's learned council, and put under the broad seal, to settle all differences, that might hereafter arise. Then on the behalf of both the universities, that tho' they were to be visited by the archbishop and his successors, yet that they should not be visited by the bishop of the diocese, or archdeacon, but should perpetually remain free and exempt from the visitation and jurisdiction of the bishop, and archdeacon of the places where they are. But then, since it was declared his right to visit "metropolitice," and that it was not limited by law, how often he might visit; therefore notwithstanding the late custom of visitation "semel in vita tantum," he might visit the universities by himself or his commissaries, as often as any great emergent cause should move him thereunto; provided that neither the said archbishop, or any his successors, after his first visitation, shall visit on such emergent cause, unless the said cause be first made known to his majesty, and his successors, and approved by him or them: all which was graciously granted by his majesty, and so settled. And lastly, whereas it was alledged, that the chancellors of either university were, and are like to be persons of great honour and eminency, and therefore it might be inconvenient that they should be called to such visitations; it was declared by his majesty, that such inconvenience would easily be helped, for that in course of law the chancellor would be allowed to appear by his proxy.

Archiepisc. Cant.
GUIL. LAUD 3.

Anno Christi
1636.

Reg. Angliae
CAROL. I. 12.

Particular orders, directions, and remembrances given in the diocese of Norwich upon the primary visitation of the reverend father in God, Matthew [Wren] lord bishop of that see. Reg. Norwic. in ann.

I. **T**HAT the whole divine service be read, both the first and second service, on Sundays and holydays and lecture days, if they have any; and that the communion service, called the second service, be audibly and distinctly read at the communion table unto the end of the Nicene creed before the sermon or homily; yet so as in very large churches the minister may come nearer to read the epistle and gospel, and after the sermon and homily the prayer for the whole state of Christ's church, and one or more of the appointed collects at the communion table likewise; and there to dismiss the congregation with The peace of God, etc.

II. That the prayer before the sermon or homily be exactly according to the LVth canon, "mutatis mutandis," only to move the people to pray in the words there prescribed, and no otherwise, unless he desire to interpose the name of the two universities, and of a patron; and no prayer to be used in the pulpit after sermon, but the sermon to be concluded with Glory be to the Father, etc. and so come down from the pulpit.

III. That the communion table in every church do always stand close under the eastwall of the chancell, the ends thereof north and south, unless the ordinary give particular direction otherwise, and that the rail be made before it according to the archbishops late injunctions, reaching cross from the northwall to the southwall, near one yard in height, so thick with pillars, that dogs may not get in.

IV. That the litany be never omitted on Sundays, Wednesdays, and Fridays, and that at all times the minister be in his surplice and hood whensoever he is in public to perform any part of his priestly function; and that in reading the chapters he leave out the contents, and after the lessons do use no psalms or hymns, but those that are appointed in the Common Prayer book.

V. That the "Gloria Patri" be said after every psalm all standing up; and that the people do audibly make all answers in the litany, and all other parts of the service, as is appointed in the book of Common Prayer; and to that end to lead the common people therein, that there be a clerk in every parish that can read sufficiently, and have competent allowance from the parish, and where there is none, that there be one forthwith appointed and chosen according to the canon.

VI. That the "Quicumque vult" or creed of Athanasius be used on the days by the rubric appointed, instead of the Apostles creed, and that ministers forget not to read the collects, epistles, and gospels appointed for the conversion

of St. Paul, and for all the holy week before Easter, and for St. Barnaby's day, and for Ash-wednesday with the commination also on that day; and also to use the prayers and suffrages in going the perambulation, which is yearly to be observed in every parish upon the Rogation days, viz. the Monday, Tuesday, and Wednesday before Ascension, and at no other times, at which it is anciently enjoined, that the ministers at some convenient places do (in a word) admonish the people to give thanks to God beholding his benefits in the fruits of the earth, saying the CIII. psalm, and as time and places shall admit, the CIV. psalm, and at any special bound mark repeating this or such holy sentences of Scripture, "Curfed be he that removeth away the mark of his neighbour's land," and that returning at last to the church there they say the divine service.

VII. That no man presume to have his hat on his head in the time of service and sermon in the church, and that due and lowly reverence be visibly done by all persons present when the blessed name of the Lord Jesus is mentioned; and that every one of the people do kneel devoutly when the confession, absolution, commandments, or any collect, or other prayer is read both at the time of the common service of the church, as also at christenings, burials, marriages, etc.

VIII. That warning be given by the minister for holydays and fasting days in the next week following, immediately after the prayer for the whole state of Christ's church; and that as soon as such warning is given, the second of those three exhortations, which next after the prayer for the universal church are set down in the service book, be treatably pronounced; after which to follow some of the collects appointed; and then to dismiss the people with The peace of God, etc.

IX. That when any need is, the sick by name be prayed for in the reading desk, and no where else at the close of the first service; except it be in the afternoon, and then to be done immediately after the creed, using only those two collects, which we set down in the service book for the visitation of the sick; that next after the marriage (if there be any) be begun in the body of the church, and finished at the table; that the churching of women begin as soon as the minister comes up to the communion table before the second service, unless there be a marriage the same day; for then the churching is not to begin till those prayers appointed to be said at the Lord's table for the marriage be ended.

X. That women to be churched come and kneel

kneel at a side near the communion table without the rail, being veiled according to the custom, and not covered with a hat; or otherwise not to be churched but presented at the next generals by the minister, or churchwardens, or any of them.

XI. That they go up to the holy table at marriages at such time thereof as the rubric so directeth, and that the new married persons do kneel without the rail, and do at their own charge, if the communion were not warned the Sunday before, receive the holy communion that day or else to be presented by the minister, and the churchwardens at the next generals for not receiving.

XII. That no minister presume to marry any persons, whereof one of the parties is not of his parish, unless it be otherwise expressly mentioned in the licence; nor that he marry any by virtue of any faculties or licence, wherein the authority of an archdeacon or official is mentioned, "*sub poena suspensionis.*"

XIII. That the parishioners be warned by the minister and churchwardens to bring their children to the church for baptism in due time, and if any child be not brought before the second lesson, that then the parents be presented for that default, and that no baptism be administered, excepting in the case of extreme necessity, but on the Sunday or holyday.

XIV. That the font at baptism be filled with clean water, and no dishes, pails, nor basons be used in it, or instead of it; and that the minister admit but two godfathers and one godmother for a male child, and two godmothers and one godfather for a female, and then do at first ask them whether the child be yet baptized or no, and do take it in his arms, and sign it with the sign of the cross, when he baptizes it, and after all do admonish them to bring it to confirmation, when time shall serve.

XV. That all communicants come up severally, and kneel before the rail to receive the holy communion; and that the minister repeat to every communicant severally all the words, that are appointed to be said at the distribution of the holy sacrament.

XVI. That no wicker bottles or tavern pots be brought unto the communion table, and that the bread be brought in a clean cloth or napkin; and that the words of consecration be audibly repeated again, if any bread or wine be to be used, which was not at first consecrated.

XVII. That the minister and churchwardens of great parishes, to avoid confusion and over long wearying of the minister and of the parishioners, do take order, that there may not come above 300. or at the most 400. communicants to one communion; for which occasion they are warned to have communions the oftner.

XVIII. That the holy oblations in such places, where it pleaseth God at any time to put into the hearts of his people by that holy action to acknowledge his gift of all they have to them, and their tenure of all from him, and their debt of all to him, be received by the minister stand-

ing before the table at their coming up to make the said oblation, and then by him to be reverently presented before the Lord, and set upon the table till the service be ended.

XIX. That the minister do catechise in the afternoon half an hour at least immediately after the last ringing or tolling of the bell for the evening prayer, according to the questions of the church catechism only, and standing in the reading desk.

XX. That the ministers reading desk do not stand with the back towards the chancel, nor too remote or far from it.

XXI. That the chancels and alleys in the church be not incroached upon by building of seats; and if any be so built, the same to be removed and taken away; and that no pews be made over high so that they, which be in them, cannot be seen how they behave themselves, or the prospect of the church or chancel be hindered; and therefore that all pews, which within do much exceed a yard in height, be taken down near to that scantling, unless the bishop by his own inspection, or by the view of some special commissioners shall otherwise allow.

XXII. That none of what rank soever do keep any chaplains, schoolmasters, ministers, or scholars in their houses to read prayers and expound scriptures, or to instruct their family, unless they be thereunto enabled by law.

XXIII. That whereas sermons are required by the church of England only upon Sundays and holydays in the forenoon, and at marriages, and are permitted at funerals, none presume to take upon them to use any preaching or expounding, or to have any such lecturing at any other time without express allowance from the bishop.

XXIV. That every one allowed to be a lecturer, do read the divine service fully in his surplice and hood before every lecture, in the same manner as is appointed on Sundays; and that all lecturers behave themselves modestly in their sermons, preaching faith, obedience, and good works, in all things observing his majesty's declaration prefixed before the 39. articles, and his majesty's injunctions, without meddling with matters of state, news, or questions late in difference, nor favouring or abetting any schismatics or separatists, either by special prayer for them or otherwise approving of them.

XXV. That the churchwardens suffer no man but their own parson, vicar, or curate to preach upon any occasion in their church, till he shew his licence, and subscribe his name in their paper book for that purpose appointed, and the name of the bishop who licensed him.

XXVI. That there be the same manner of ringing and tolling of bells to church on holydays, as is used on Sundays, and that there be no difference of ringing to church, when there is a sermon, more than when there is none; excepting the knells for funerals.

XXVII. That no churchwindows nor chancelwindows be stopped up in any part; nor the floor in any part unpaved, or uncleanly kept, nor,

nor the churchyard any ways abused, annoyed, or profaned.

XXVIII. That all defaults contrary to the premisses be faithfully enquired into by the of-

ficials from time to time at their generals, of whom the bishop will require an account concerning the same.

Archiepisc. Cant.
GUIL. LAUD 4.

Anno Christi
1636.

Reg. Angliae
CAROL. I. 12.

Litterae regiae de visitatione universitat. Oxon. et Cantabrig. per archiepiscopum Cantuar. Ex reg. Laud fol. 252. a.

CAROLUS, Dei gratia Angliae, Scotiae, Franciae, et Hiberniae rex, fidei defensor, etc. omnibus, ad quos praesentes litterae pervenerint, salutem. Suborta nuper lite et controversia inter reverendissimum in Christo patrem archiepiscopum Cant. et universitates nostras Oxonii et Cantabrigiae, super jure et titulo visitationis metropolitanae universitatum praedictarum, praefato archiepiscopo jus visitandi praedictas universitates sibi et ecclesiae suae metropolitanae Christi Cant. vendicante; praefatisque universitatibus se a visitatione praedicta exemptas esse praetendentibus, liteque et controversia praedicta ad nos, et judicium et sententiam nostram regiam delata; nos ad stabiliendam pacem inter partes praedictas, et ad tollendam in perpetuum hujusmodi controversiae materiam, reverendissimum in Christo patrem, praedilectumque et perquam fidelem consiliarium nostrum Guilielmum, providentia divina Cant. archiepiscopum, totius Angliae primatem et metropolitanum, et universitatis Oxoniensis cancellarium, necnon praedilectum et perquam fidelem consanguineum et consiliarium nostrum Henricum, comitem Holland, universitatis Cantabrigiensis cancellarium, aliosque nonnullos a praedictis universitatibus mandata sufficientia habentes, venire fecimus coram nobis et consiliariis nostris in aula nostra apud honorem nostrum de Hamptoncourt, vicesimo primo die mensis Junii, anno regni nostri duodecimo, ibidemque auditis et intellectis quae per partes praedictas hinc inde dici et allegari potuerunt, habitaque cum praefatis consiliariis nostris deliberatione matura, ad definiendam et dijudicandam litem et controversiam praedictam processimus in modum sequentem: Primo et ante omnia, per probationes legitimas, et per confessionem utriusque partis nobis constabat, nos jure coronae nostrae regni Angliae habuisse, et habere potestatem visitandi universitates praedictas, quoties et quandocumque nobis et successoribus nostris visum fuerit; praefatumque archiepiscopum, jure ecclesiae suae metropolitanae Christi Cant. habuisse, et habere potestatem visitandi totam provinciam suam Cant. in qua universitates praedictae positae sunt. Cum vero ex parte universitatum propositum esset, universitates praedictas per quasdam chartas nostras et praedecessorum nostrorum, et bullas papales fuisse exemptas, et immunes ab omni visitatione, et jurisdictione archiepiscopi praedicti, eandemque immunitatem legitimo temporis usu fuisse praescriptam; ex parte praefati archiepiscopi coram nobis ostensum et probatum fuit, tres praedecessores

suos archiepiscopos Cant. actualiter visitasse universitates praedictas, jure ecclesiae suae metropolitanae Christi Cant. et non per potestatem legatnam; ortaue olim lite inter archiepiscopum Cant. et universitatem Oxon. super jure visitationis praedictae tempore Richardi II. praedecessoris nostri regis Angliae, eundemque praedecessorem nostrum, plene auditis quae per partes utrinque proponi potuerunt, pro archiepiscopo et jure visitationis suae judicasse; eandemque controversia iterum emergente inter archiepiscopum Cant. et universitatem Oxon. tempore Henrici IV. praedecessoris nostri regis Angliae, eundem praedecessorem nostrum similiter pro archiepiscopo praedicto et jure visitationis suae praedictae pronunciasse et determinasse; easdemque sententias et determinationes per actum parlamenti anno tertio decimo Henrici IV. fuisse ratificatas et confirmatas: quinetiam nobis constabat, praedictas exemptiones et immunitates a visitatione metropolitana archiepiscopi Cant. vel earum aliquam per aliquam chartam nostram vel praedecessorum nostrorum non fuisse concessas, easdemque per bullas papales concedi non potuisse, nec per cursum temporis citra actuales visitationes archiepiscoporum praedictorum fuisse legitime praescriptas, nec de jure nostro ecclesiastico potuisse praescribi; praefatusque archiepiscopus coram nobis protulit schedulam subscriptam manibus magistrorum collegiorum universitatis Cantabrigiae, in qua praedicti magistri pro se et universitate sua, privilegiis et immunitatibus papalibus universitati praedictae concessis renunciabant. Quibus omnibus per nos consideratis, habitaque deliberatione cum praefatis consiliariis nostris, judicavimus et determinavimus jus visitandi cancellarios, magistrum, et scholares universitatum praedictarum, et successores suos, eorumque servientes, aliasque personas pro tempore existentes, libertatibus et privilegiis universitatum praefatarum utentes; necnon universitates praedictas, ut universitates, spectare et pertinere ad praefatum archiepiscopum et successores suos, et ecclesiam suam metropolitanam praedictam per se aut commissarium seu commissarios suos exercendum; et quod praefati cancellarii, magistri, scholares, et reliquae personae privilegiis universitatum utentes, eorumque successores perpetuis futuris temporibus, eidem archiepiscopo et successoribus suis, eorumve commissariis in visitatione et jurisdictione universitatum praedictarum in omnibus pareant et obediant. Cum vero coram nobis praeterea proponeretur non satis constare, quoties visitatio praedictarum universita-

tum

tum exerceri debeat; ad amputandas similes controversias infuturum, ordinavimus, quod licebit praefato archiepiscopo et successoribus suis visitare universitates praedictas, non tantum semel in vita, sicuti in reliquis partibus provinciae Cant. nuper usitatum fuit, verum etiam quod licebit eis eorumque singulis post primam visitationem metropolitica finitam, praedictas universitates per se vel commissarios suos visitare, quotiescunque illud necessarium praefatis archiepiscopis visum fuerit, ex causa rationabili et legitima per nos et successores nostros primitus approbanda. Cumque praeterea coram nobis proponeretur ex parte cancellariorum praedictorum, futurum valde incommodum sibi et successoribus suis, prae dignitate personarum suarum, si in visitationibus praedictis personaliter debeant comparere; declaravimus jure satis consultum esse eorum incommodis in hac parte, cum possint in visitationibus praedictis per procuratores suos comparere. Denique per praefatum archiepiscopum a nobis humiliter peti- tum fuit, ut hoc nostrum judicium et declaratio potestatis visitandi universitates praedictas, sibi et successoribus suis jure ecclesiae metropoliticae Christi Cant. competentis, non possint in-

futurum extendi ad episcopos et archidiaconos locorum, in quibus universitates praedictae pos- itae sunt, et ut praefatae universitates per prae- fatos episcopos et archidiaconos in posterum non possint visitari, et ut hoc nostrum judicium, ordinationem, et determinationem sub magno sigillo Angliae confirmare dignaremur. Cujus petitioni annuentes, declaravimus, quod univer- sitates praedictae per episcopos et archidiaconos praedictos in posterum non visitentur; et hoc nostrum judicium, ordinationem, et declaratio- nem sub magno sigillo Angliae communiri et confirmari jussimus; mandantes praefatis can- cellariis, magistris, et scholaribus universitatum praedict. ut visitationi praefati archiepiscopi et successorum suorum se submittant, et ut nullam exemptionem seu immunitatem adversus visita- tionem praedictam sibi vindicare praesumant. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westm. tricesimo die Januarii, anno regni nostri duo- decimo.

Per ipsum regem,

WOLSELEY.

Archiepisc. Cant.
GUIL. LAUD 4.

Anno Christi
1636.

Reg. Angliae
CAROL. I. 12.

Epistola Ger. Jo. Vossii ad archiepisc. Cantuar. de jure visitandi academias Angliae.
Ex reg. Laud fol. 248. a.

REVERENDISSIME in Christo pater, do- mine illustrissime. Mihi gaudeo, Britan- niae gratulor, Deo gratias ago de immissa ani- mo tuo cogitatione sanctissima revocandi juris ejus, quo reverendissimi Cant. praesules jam ab antiquis temporibus in lustrandis regni Anglici academiis uti frui solent. Sane non corpora solum nostra fluxa et fragilia sunt, sed humana etiam instituta, licet optima, facile per incuri- am in pejus vergunt, eoque ad retinendum gran- de illud disciplinae bonum nihil exoptatius a Deo et rege potuit evenire, quam ut priscum jus tanto praesuli restituatur, perque eum po- tissimum labantibus moribus obviam eatur; cui ut sacrorum, sic morum bonorum praecipue cura incumbit, quique sic sanctimoniam ab a- liis, exigere sciat, ut eadem praecedat caeteros.

Sunt quidem florentissimae academiae ambae, sed cura tua deinceps se vincent ac pulchrio- res, pulchrioresque semper exurgent, quod bo- num suum sapientissimi quique per se sine du- bio vident, ac magis et magis intelligent; nec solum nostra aetas, sed posteritas etiam ut sui temporis emendatori gratias propterea semper agat*.

Numen caeleste oro, ut tibi, illustrissime ac reverendissime domine, longaevam ac prospe- ram largiatur vitam.

Reverendissimi ac illustrissimi nominis tui cultor et cliens devotissimus,

Amstelodami M.DC.XXXVI.
prid. non. Sextil.

GER. JO. VOSSIUS.

Statuta sive ordinationes per reverendissimum dom. Will. Laud, archiep. Cant. edita et promulgata. Ex MS. Sancroft, arch. Cant.

CAP. I. De inhibitionibus.

I. **C**ONTRA aliquem episcopum aut contra principalem visitatorem archiepiscopi Cant. in visitatione sua metropolitana, inhibi-

tiones concedi nolumus; nisi aut dictus reve- rendissimus, aut judex ipse de arcubus aut au- dientiae (si sit in civitate) notitiam habeat de eisdem, et de causa earundem.

II. In causis criminalibus, ubi judex aquo

* In Colomesiana editione epistolarum G. J. Vossii hoc modo auctor concludit hanc epistolam, pag. 290.
— gratias propterea semper agat. Primus qui me jucundissimo hoc negotio laetissimus ipse perfudit, optimus et doctissi- mus Goffius noster fuit. Is aliquamdiu studiorum ergo hac in urbe egit, ac me usus perfamiliariter; quia quae viri modestia est, arbitraratur, studia etiam sua ex nobis aliquid posse capere incrementi. Gaudeo me incidisse in amicum tam amantem bonae mentis, et de quo non possim non optima quaeque mihi augurari.

Amstelodami M.DC.XXXVI.
prid. non. Sext. st. vet.

procedit contra praesentatum de adulterio, fornicatione, aut huiusmodi delictis; ne fiant inhibitiones nisi per iudicem adquem, aut aliquem surrogatorum suorum, qui sit legum doctor. Et si appellans non prosecutus fuerit dictam appellationem secundo termino post inhibitionem extractam; tunc iudex adquem decretum suum intimet iudici aquo, aut parti appellatae. Quod ipsi (si sua putaverint interesse) urgere possint appellantem ad proseguendum. Quodsi et ipsi neglexerint per spatium unius termini post inhibitionem eis factam; tunc iudex adquem ex officio mero (ne talia scelera per inhibitionem protegi videantur) decernet pro parte appellante, ad proseguendum appellationem suam praedictam. Et si non proseguatur, remittat causam iudici aquo, juxta formam juris, et stilum illius curiae sine ulteriori dilatione.

III. Nulli procuratori aut parti liceat plures inhibitiones in una et eadem causa, et inter easdem personas conficere et obtinere, nisi iudicem adquem ultimo appellatur; aut ejus surrogatum prius consultum fecerint de priore inhibitione, et de causa quare denuo aut pluries appellare convenit.

IV. Ne sigilletur aliqua inhibito, nisi nomen procuratoris impetrantis subscribatur eidem, et libro sigilli etiam apponatur.

V. Cautiones in aliqua curia nostra contra inhibitiones, decreta, probationes, testamentorum administrationes, vel contra commissiones pro receptione juramenti, aut huiusmodi admitti nolumus, nisi sub hac forma et conditione; viz. quod prius vocetur ipsa pars, cujus interesse praetenditur, aut unus procuratorum in curiis nostris exercentium tunc existens in civitate per dictam partem nominandus: nolumus enim manus ligari iudicis, nisi paratum habeat, qui vocetur ad reddendam rationem cautionis praedictae.

CAP. II. De dilationibus vitandis.

I. In die ad libellandum detur libellus sine ulteriori dilatione, nisi aliter iudici visum fuerit: actor enim debet venire paratus ad iudicium.

II. Ne fiat continuatio alicujus mandati plus quam semel.

III. Ex generali continuatione nulla fit termini probatorii prorogatio aut continuatio.

IV. Ubi appellatur a sententia diffinitiva lata per iudicem aquo pro legato, decimis, aut summa taxata ad reparationem ecclesiae; et appellans vult allegare solutionem, plene administravit, aut aliud quicquam in peremptionem five exonerationem summae petitaе (quod bene potuit in prima instantia allegasse) deponat ille prius summam sententiatam, priusquam admittatur talis allegatio, nisi alias iudici visum fuerit ex justa causa per eum approbanda.

V. Si procurator adversam sibi partem ex aliqua cancellaria aut registrario in non transmittendo processum, aut testem in non comparendo, aut in non subeundo examen suspendi aut excommunicari obtinuerit; tunc literas denunciatorias, suspensionis, aut excommunicationis huiusmodi extrahat infra quatuor dies; et mit-

tat eas bona fide in partes infra tres dies prox. postquam extraxerit easdem literas, debite denunciandas; nec penes se ulterius clam detineat easdem ad causam differendam.

VI. Si quis commissionem ad partes pro responsis partis suae aut pro examinatione testium habuerit concessam, eamque extrahere aut debite exequi distulerit aut neglexerit, renovationem ejusdem nullatenus expectabit, nec habebit, nisi ex justa causa per iudicem approbanda; qui et eo casu, si quicquam incuriae aut negligentiae invenerit, partem huiusmodi non extrahentem, aut non debite exequentem in expensis retardati processus condemnabit.

CAP. III. De advocatis et procuratoribus.

I. Dum advocatus informat iudicem, aut quicquam petit in curia, nullus procurator eum perturbet, aut se intromittat; quinetiam ejus petitioni respondere non praesumat, si advocatus ex adversa parte interfuerit et respondere sit paratus et voluerit.

II. Tam advocati, quam procuratores induantur habitu et caputio in curia de arcubus, prout fieri consuevit. Sine eis in limites curiae intrare non praesumant. Accedant ad initium curiae. Non recedant ante curiam finitam. Latine loquantur (et non Anglice) per totum tempus curiae. Sint iudici attendentes in eundo et redeundo ad curiam de arcubus et ab eadem, eumque comitando ducant et reducant.

III. Nulli tradetur processum iudicis aquo in registrum introductus, nisi advocato aut procuratori alterius partium, pro eodem (ut moris est) componenti; isque nomen subscribendo suum in libro compositionum se recepisse testificet; et semper dictum processum rogatus per registrarium infra unum diem post debitam requisitionem reducat in officium registrarii et retradat eum, ut pars adversa eundem per similem compositionem et subscriptionem habeat utendum.

IV. In die assignato ad audiendam voluntatem nullus procurator, qui habet aliquam in libro informationum causam descriptam aut assignatam, a publicis informationibus se absintet; praesertim cum sua causa ventilanda, aut juxta ordinem dicti libri evocanda venerit.

V. Si quis procurator in die ad audiendam voluntatem inventus fuerit allegasse, aut (uti vocant) placitasse aliquam materiam, quam ante in eadem causa ipse placitaverit et admitti obtinuerit; condemnatur in expensis retardati processus cum dolo malo et in dilationem causae plus justo hoc fecisse iudicabitur.

VI. Cum iudex utrasque partes audiverit, et decretum suum interposuerit, neque advocatus nec procurator sit ei ulterius molestus aut importunus.

VII. Brevia, quae vocant, causarum nulla fiant, nisi cum iudex requisiverit; nec pro eis scribendis ultra vi. denar. pro qualibet charta (Anglice "every sheet") capiatur. Si quis hoc nimis aut minus duxerit, stabit taxationi iudicis pro eisdem.

VIII. Si quae pars principalis responsum suum personale aut ipse aut ejus advocatus aut

procu-

procurator scripserit, et in registrum intrandum et registrandum dederit; idemque responsum super allegatione ad audiendam voluntatem, habita informatione imperfectum aut minus plenum fuerit inventum; solvet talis respondens expensas retardati processus, quia et litem retardavit, et partem adversam in expensis circa informationem super ea re indebite oneravit.

CAP. IV. *De registrariis et eorum clericis.*

I. Nullus actuarius aut acta scribens ponat in actu, quod aliquis dedit libellum, allegationem in scriptis, aut materiam hujusmodi, nisi eodem tempore et loco idem libellus, allegatio, aut materia sit realiter ei tradita et exhibita in registrum relinquenda, ut parti adversae etiam copia tunc deliberetur. Dicitur libellus sive exhibitum in pergamento conscribatur; nisi iudex versus finem termini propter multitudinem negotiorum duxerit eum pro tempore in papyro recipiendum (cui etiam stabitur contra exhibentem) et proxima vacatione in pergamento redigendum, et (vere comparatum) in registrum introducendum.

II. Registrarius, actuarius, aut aliquis eorum clericus officium procuratoris in eadem curia non exercebit; causas aliquas in illa curia nulloatenus sollicitabit, aut se minus indifferentem alicui partium praebeat, aut sit in aliquo.

III. Ubi decernendum est pro omisissis, iudex et registrarius omisissorum transmittent ea suis propriis expensis; et si eorum fraude aut supina negligentia omisissio fiat, refundat expensas litis retardatae ille, cujus dolo aut culpa id factum fuerit.

IV. Copiae depositionum, responsionum personalium, aut exhibitorum quorumcunque non tradentur partibus, aut eorum procuratoribus aut advocatis per registrarium, actuarium, aut clericos suos, nisi facta fideli comparatione cum originali et subscriptione manus suae, aut eorum unius (notariorum public. existentium) quod concordant cum originali.

V. Commissiones pro responsis recipiendis aut testibus examinandis fiant assumpto publico notario quocunque partibus indifferente, nisi ubi iudici aliter visum fuerit.

VI. Acta, exhibita, et recorda fideliter custodiantur, et in loco tuto et convenienti reponantur, et per annos sive terminos ordine distinguantur, quo facilius scrutinium fiat, ubi opus erit.

VII. Acta omnia et singula cujusque termini, aut in ipso termino, aut vacatione prox. sequente registrentur, aut (uti vocant) in libro actorum intrentur.

W. CANT.

Archiepisc. Cant.
GUIL. LAUD 4.

Anno Christi
1636.

Reg. Angliae
CAROL. I. 12.

Archiepiscopi Cantuar. literae praeposito et sociis collegii Etonensis de numero sociorum. Ex reg. Laud fol. 258. a.

GUILIELMUS, providentia divina Cant. archiepiscopus, totius Angliae primas et metropolitanus, dilectis in Christo praeposito et sociis collegii de Etona in dioecesi Lincoln. salutem et gratiam. In visitatione nostra metropolitana dioec. Lincoln. et collegii vestri nuper proposita fuit coram nobis querela, ex parte quorundam sociorum collegii regalis in academia Cantabrigiensi, quod cum communis fundator utriusque collegii praedicti, Henricus sextus, pia memoriae, quondam rex Angliae, collegium vestrum de Etona, de decem sociis fundaverit, et in loca vacantia sociorum collegii vestri primo et ante omnes alios ordinaverit eligi socios collegii regalis, vel eos qui prius fuerint in eodem, et ex causis honestis et licitis recesserint ab ipso, si qui tales inventi fuerint habiles et sufficientes; vos tamen contra statuta collegii vestri septem socios tantum jamdiu habueritis, et in praesenti habeatis, et in loca vacantia sociorum collegii vestri saepius eligatis alios de aliis collegiis, vel locis, ad arbitrium vestrum, licet habiles et sufficientes in regali collegio praedicto inveniantur; unde praefati socii collegii regalis a nobis humiliter petierunt, ut velimus ordinare numerum decem sociorum collegii vestri in posterum perimplendum esse, et loca eorum vacantia, ex sociis collegii regalis et non alibi supplenda esse, si habiles et sufficientes in collegio regali praedicto reperiantur. Nos vero antedictis iis omnibus, quae coram nobis utrin-

que proposita fuerunt, post maturam deliberationem de perimplendo numero decem sociorum collegii vestri in praesenti aliquid decernere nolimus, cum nobis constet collegium vestrum ab Edwardo quarto, quondam rege Angliae, immediato fundatoris vestri successore, fuisse dissolutum, et ab eodem deinceps (sed redivisus ejusdem multum imminutis) restitutum, et ab eo tempore citra numerum sociorum vestrorum nunquam septenarium excessisse; adeoque nolimus consuetudinem collegii vestri in hac re ex verisimilibus causis tamdiu receptam subito immutare. Caeterum cum ex statutis collegii vestri nobis etiam constet, collegium vestrum esse originem et seminarium collegii regalis, et fundatorem vestrum communem desiderasse, ut inter utrumque collegium suum arctissima conjunctio, confociatio, et charitas inperpetuum intercederet, et in electione sociorum collegii vestri jufferit primam et praecipuam rationem habendam esse sociorum collegii regalis Cantabrigiae, vel eorum, qui prius fuerint in eodem, et ex causis honestis et licitis recesserint, utque ad loca vacantia sociorum collegii sanctae Mariae Wintoniensis (ad cujus exemplum collegium vestrum fundatum est) socii collegii novi Oxoniae tantum, et nulli ex aliis collegiis aut locis electi fuerint a fundatore ejusdem; nos ad promovendam fundatoris vestri voluntatem, et desiderium in concilianda conjunctione et charitate inter utrumque collegium suum praedictum, ordinamus

mus et decernimus, quod ex septem fociis collegii vestri continuo quinque ad minimum eligantur inperpetuum de fociis collegii regalis praedicti, vel de eis, qui prius fuerint in eodem, et ex causis honestis et licitis recefferint ab eodem, si qui tales habiles et sufficientes reperti fuerint; et quod nulli inposterum eligentur per vos aut successores vestros ex aliis collegiis vel locis in socios collegii vestri, quamdiu numerus quinque sociorum vestrorum ex fociis

collegii regalis praedicti non fuerit perimpletus; mandantes et injungentes hanc nostram ordinationem et decretum a vobis et successoribus vestris inperpetuum observari. In cuius rei testimonium sigillum nostrum archiepiscopale praesentibus apponi iussimus. Dat. in manerio nostro de Lambeth undecimo die mensis Martii, anno Domini (stilo Angliae) M.DC.XXXVI. et nostrae translationis anno quarto.

Archiepisc. Cant.
GUIL. LAUD 4.

Anno Christi
1636.

Reg. Angliae
CAROL. I. 12.

The archbishop's letter to the provost and fellows of Eaton college about the number of fellows. Reg. Laud. fol. 259. a.

"**S**ALUTEM in Christo." After my hearty commendations, etc. You cannot but remember, that after my metropolitical visitation of your college at Eaton was begun, there was delivered unto me a petition from King's college in Cambridge, and another to his sacred majesty, both concerning certain rights to the fellowships of Eaton, as they pretended; and the petition delivered to his majesty was after sent unto me, with a reference under secretary Windebank's hand, requiring me to take their cause into consideration, and to do them that justice, which upon due deliberation, I should find did belong to them, and their cause. Thereupon I had divers times cognisance of this cause in the presence of some, both of your and their societies, and heard at large both your and their counsel, that by reason of the shortness of my visitation, being unwilling to hold it much longer than the ordinary time of six months, and because of my other many and great occasions not suffering me to attend that business wholly, I was constrained to reserve this and all such businesses, as were then depending before me, in the

relaxation of my visitation aforesaid, to such other farther and fit time, as I might have to end them. And having now maturely consider'd of the aforesaid petition of King's college, with all incidents thereunto belonging, and of all such answers as you the provost and fellows of Eaton have given, I have now at last made my decision, with an injunction of obedience in time to come, and have sent it herewith unto you under my archiepiscopal seal, requiring you that it be registred at the end of our statute book, and observed in all future elections of fellows into that society; that so these two great bodies which had one and the same royal founder, may according to his will and frequent desires in your and their statutes, grow up into a nearer relation and greater amity one to, and with the other, which God grant. So with my love remembered to you, I leave you all to God's blessed protection and rest,

Your very loving friend,

Lambeth Martii 15.
M.DC.XXXVI.

W. CANT.

Archiepisc. Cant.
GUIL. LAUD 4.

Anno Christi
1637.

Reg. Angliae
CAROL. I. 13.

Litterae patentes pro visitatione locorum exemptorum. Ibid. fol. 85. b.

CAROLUS, Dei gratia Angliae, Scotiae, Franciae, et Hiberniae rex, fidei defensor, etc. reverendissimo in Christo patri Willielmo, providentia divina archiepiscopo Cant. totius Angliae primati et metropolitano, Johanni, eadem providentia Roffen. episcopo, Nathanieli Brent, militi, legum doctori, vicario ejusdem archiepiscopi in spiritualibus generali, Thomae Reeves, legum etiam doctori, advocato nostro, Isaaco Barge, S. T. P. decano ecclesiae cathedralis metropoliticae Christi Cantuar. Johanni Warner, et Thomae Jackson, sacrae theologiae etiam respective professoribus, Richardo Clark, sacrae theologiae professori, Arthuro Ducke, et Roberto Ayler, legum respective doctoribus, salutem. Cum vos praedict. archiepiscopus ex sollicitudine pastoralis gregis dominici vobis commissi, tam civitatem, dioec. et ecclesiam vestram Cant. caeteraque dioec. et ecclesiastam cathedrales, quam collegiatus et parochiales, hospitalia item, et scholas publicas seu liberas, aliaque loca ecclesiastica in-

fra provinciam vestram Cant. constituta, tam in capite, quam in membris, clerumque et populum residentem in eisdem dioec. et provincia, jure vestro metropolitico propediem visitare, et negotiis praepediti munus illud praedict. episcopo, Nathanieli, Thomae, Isaaco, Johanni, Thomae, Richardo, Arthuro, et Roberto (inter alios) conjunctim et divisim committend. proposuistis; ac tam infra dioecesim, quam alibi infra provinciam vestram Cant. diversae ecclesiae cathedrales, cum episcopis, decanis, capitulis, caeterisque ministris et officariis in eisdem, ac decani et capitulum cum praebendariis, aliisque ministris et officariis in diversis ecclesiis nuper citra annum regni domini Henrici, nuper regis Angliae octavi, vicefirmum sextum, ac tam citra annum illum, quam antea nonnulla hospitalia et domus ad pauperum sustentationem, ac scholae quaedam publicae et liberae per antecessores nostros fundata, erecta, et stabilita extiterunt et existunt; et aequum

quum est, ut qui unitatem religionis amplexi sunt, eadem disciplina ad cultum divinum externum et morum probitatem dirigantur; nos auctoritatem nostram regiam ad fidem christianam vere catholicam, cujus sumus defensores, et morum probitatem conservand. nobis a Deo optimo maximo commissam agnoscentes, utque (amputatis malorum vepribus) sincera religio et canonica recte vivendi forma tam in ecclesiis et locis antedictis, quam in caeteris ecclesiis, ac in locis universis provinciae vestrae florescat et augeatur, cupientes; ad visitand. igitur tam in capite, quam in membris, tam ecclesias cathedrales et collegiatas praedict. ac praefata hospitalia, domus, scholas, et singula loca ecclesiae infra dioec. et provinciam praedict. de fundatione vel patronatu nostri vel progenitorum nostrorum (tam exempta et immediate nobis subiecta, quam non exempta) quam episcopos, decanos, et capitulum, praebendarios, officarios, et ministros, aliosque degentes vel ministrantes in eisdem (ecclesia collegiata beati Petri Westm. et decano, capitulo, et ministris in eadem except.) ac de statu ecclesiarum, hospitalium, domorum, et scholarum illarum, ac eorundem episcoporum, decanorum, et capitulorum, ac canonicorum, praebendariorum, ministrorum, et officiariorum, et aliorum quorumcunque in eisdem degentium vel ministrantium, modis omnibus, quibus melius et efficacius poteritis, inquirend. et investigand. ac delinquentes irregularitatis macula irretit. vel officia seu ministeria sua negligentes, aliterve culpabiles poenis pro ratione et modo criminum, excessuum, negligentiarum, et delictorum suorum condignis, usque ad dignitatum, officiorum, et ministeriorum respective privationem et amotionem inclusive, ad stipendiorum et emolumentorum suorum sicut in dividendiis excrementum, communiis, annona, caeterisque proventibus suis ecclesiasticis indies pervenient. sequestrationem, vel quamcunque aliam congruam et competentem coercionem puniend. et corrigend. ad probatiores vivendi mores, et canonicum magis officiorum suorum ministerium, modis omnibus, quibus poteritis, reducend. contumaces item et rebelles, si quos inveneritis, cujuscunque fuerint status vel conditionis, tam per censuras ecclesiasticas et alia juris remedia compescend. aliisque jurisdictionem ecclesiasticam durante visitatione vestra in ecclesiis et locis praedictis exercere inhibend. prout inhibemus per praesentes. Insuper chartas regias, indulta, privilegia, immunitates, libros, statuta (si quae sint) registra, computa, et alia scripta, seu munimenta quaecunque dictarum ecclesiarum, hospitalium, domorum, scholarum, episcoporum, decanorum, capitulorum, canonicorum, praebendariorum, ministrorum, officiariorum praedict. fundationem, incorporationem, dotationem, negotia, vel statum quoquomodo tangen. sive concernen. petend. exigent. vobisque proferri et exhiberi mandand. et faciend. ea recipiend. et diligenter examinand. necnon injunctiones et statuta, quae vobis pro commodiori ordine et gubernatione ecclesiarum, hospitalium, domorum, scholarum, decanorum, ca-

pitulorum, canonicorum, praebendariorum, ministrorum, et officiariorum praedict. videbuntur idonea, tam durante visitatione praedicta quam postea condere et edere, eisque nobis propositis, et per nos stabilitis, ea decanis, capitulis, canonicis, praebendariis, ministris, officariis, atque aliis quibuscunque in eisdem ecclesiis, hospitalibus, domibus, scholis, et locis commorantibus vel ministrantibus, per ipsos et eorum successores observanda, nomine nostro tradend. et auctoritate nostra eis indicend. et injungend. in eorum violatores poenas infligend. decernend. et ordinationes et consuetudines (si quas inveneritis) eisdem inidoneas tollend. et penitus abolend. et omnia alia, quae circa praemissa requisita aut necessaria fuerint vel opportuna, faciend. et exequend. vobis, de quorum sinceritate, religione, et doctrina ac morum probitate, et rebus gerendis provida circumspectione et industria plenius in hac parte confidimus, ex certa scientia et mero motu nostris, ac suprema auctoritate nostra regia vires et auctoritatem nostras, omni appellatione remota, conjunctim et cuilibet et quibuscunque vestrum separatim vel divisim committendo, plenam tenore praesentium damus et committimus potestatem; vosque ac singulos vestrum et quoscunque vestrum separatim vel divisim delegatos et commissarios nostros ad praemissa omnia et singula exequend. nominamus, ordinamus, et deputamus per praesentes eatenus duratur. donec eisdem superledend. fore decreverimus; etiamsi hujusmodi sint, quae specialia magis et expressa verba requirunt. Ac licet ecclesiae, hospitalia, domus, scholae, episcopi, decani, capitula, canonici, praebendarii, caeterique ministri et officarii aut alii in eisdem ecclesiis sive locis sint de patronatu nostro vel de fundatione nostra, vel progenitorum nostrorum, et sint exempta vel nobis immediate subdita, vel non exempta, cum auctoritate procedendi in praemissis summarie et de plano et sine strepitu et figura judicii, solum rei veritate inspecta, aequitate attendita, ac cum cujuscunque legitima coercionis potestate; mandantes omnibus et singulis episcopis, decanis, archidiaconis, canonicis, praebendariis, ministris, et officariis in ecclesiis et locis praedictis, ac aliis in eisdem degentibus, vel minister. exercentibus, necnon omnibus et singulis vicecomitibus, custodibus pacis, constabulariis, ballivis, praepositis, necnon rectoribus ecclesiarum, vicariis, hospitalium et scholarum praefectis, ac clero et populo per totam dioec. et provinciam Cant. constitutis, quod vobis et quibuscunque et cuilibet vestrum in praemissis sint intendentes, auxiliantes, et obtemperantes in omnibus, prout decet. Nolumus tamen quod vos praedictus episcopus, Nathanael, Thomas, Isaacus, Johannes, Thomas, Richardus, Arthurus, vel Robertus, vel vestrum aliqui in legibus et statutis praelibatis condendis vel edendis statuatis, vel aliquis vestrum statuatur vobis praefato archiepiscopo inconsultis. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westm. tricesimo primo die Martii, anno regni nostri decimo tertio.

Archiepisc. Cant.
GUIL. LAUD 4.

Anno Christi
1637.

Reg. Angliae
CAROL. I. 13.

A letter to the archbishop of Canterbury about the fellowships for Jersey men.

Reg. Laud fol. 260. a.

MOST honourable and most reverend father in God. Having credibly understood that your grace hath been pleased to procure and settle three fellowships in several colleges of Oxford, for the advancement and maintenance of young students born in these remote islands; we acknowledge ourselves with all dutiful humility much bound and obliged to your grace for this your undeserved care and kindness; and we had sooner expressed our humble and hearty thankfulness for so great and unexpected a benefit, had we not waited for a fit person to prefer to your grace to reap the fruits of that gift, his majesty hath been pleased to bestow upon us by your gracious hands. There was none fitter to present and recommend to your most honourable acceptance, than this very hopeful young man Mr. Daniel Brevin, of whom we conceive a good opinion, for his learning and piety, so that he shall be capable within a short time to serve in the ministry in this our isle; for we trust that is the end and intent of the bestowing of these places. We therefore with all humble submission beseech your grace to be pleased to accept of him, seeing he hath

been persuaded to leave his hopes of preferment in the university of Saumur in France, where he hath proceeded master of arts with good approbation, and hath promised to be ready for the island's service, when occasion shall be offered. Thus with our hearty prayers unto God for your long life and prosperity we ever remain

Your grace's most humble servants,

Ela. Clock, rector of the parish of St. Ouen.

Edela Selair, min.

Bea. Billon.

Ph. Carteret.

E. Carteret.

Carteret.

P. Jautrait, min.

D. Gruchy, min.

Tho. Payne, min.

R. Collet, min.

Bandinel commissarius domini decani.

Jersey 1st. of April
M.DC.XXXVII.

Proceedings and judgments about ecclesiastical courts. Ibid. fol. 272. a.

IN camera stellata coram consilio ibidem 12. die Maii, anno decimo tertio Caroli regis.

This day several petitions being read in open court, presented on the behalf of John Bastwick, doctor in physic, and William Pryn gent. defendants, at the suit of his majesty's attorney general, the most reverend father in God, the lord archbishop of Cant. his grace inform'd the court, that in some of the libellous books and pamphlets lately published, his grace and others the reverend bishops of the realm are said to have usurped upon his majesty's prerogative royal, and to have proceeded in the high commission and other ecclesiastical courts, contrary to the laws and statutes of the realm; about which he prayed the judges might be attended, and they prayed and required by this court to certify their opinion therein. Upon consideration whereof, the court hath ordered, that the two lord chief justices, now present in court, the lord chief baron, and the rest of the judges and barons shall be attended by his majesty's learned council, touching the particulars hereafter ensuing, videlicet,

I. Whether process may not issue out of the ecclesiastical courts in the name of the bishops?

II. Whether a patent under the great seal be necessary for the keeping of the ecclesiastical courts, and enabling of citations, suspensions, excommunications, and other censures of the church; and whether the citation ought to be in the king's name, and under the seal of arms,

and the like for institutions and inductions to benefices, and correction of ecclesiastical offences?

III. Whether bishops, archdeacons, and other ecclesiastical persons may or ought to keep any visitation at any time, unless they have express commission or patent under the great seal of England to do it, and that as his majesty's visitor only, and in his name and right alone?

M. GOAD.

Irrotulat. In memorand. scaccarii domini regis nunc, Caroli apud Westm. de anno regni sui decimo tertio, videlicet, inter communia de termino sanctae Trinitatis rot. Ex parte rememoratoris regis.

Irrotulat. coram domino rege apud Westm. termino sanctae Trinitatis, anno regni domini Caroli, nunc regis Angliae, etc. tertio decimo rot. tertio inter placita regis.

JO. KELLYNGE.

Irrotulat. coram justic. de banco termino sanctae Trinitatis anno regni domini Caroli, nunc regis Angliae, decimo tertio inter placita rot. lv.

R. BROWNLOWE.

14. Julii M.DC.XXXVII. Fideliter registratur in registro curiae commissionerum regionum

giorum ad causas ecclesiasticas facta diligenti collatione per nos.

STE. KNIGHT,
JO. CROMPTON.

May it please your lordships.

According to your lordships order, made in his majesty's court of Starchamber the 12th of May last, we have taken consideration of the particulars, wherein our opinions are required by the said order, and we have all agreed,

That process may issue out of the ecclesiastical courts in the names of the bishops, and that a patent under the great seal is not necessary for the keeping of the said ecclesiastical courts, or for the enabling of citations, suspensions, excommunications, and other censures of the church, and that it is not necessary, that summons, citations, or other process ecclesiastical in the said courts, or institutions or inductions to benefices, or correction of ecclesiastical offences by censure in those courts be in the king's name, or with the stile of the king, or under the king's seal, or that their seals of office have in them the king's arms, and that the statute of 1 Edarwd VI. chap. 2. which enacted the contrary is not now in force.

We are also of opinion, that the bishops, archdeacons, and other ecclesiastical persons may keep their visitations, as usually they have done, without commission under the great seal of England so to do. Primo die Julii M.DC.XXXVII.

John Brampton.	Geo. Croke.
Jo. Finch.	Tho. Trevor.
Humphrey Davenport.	Geo. Vernon.
Will. Jones.	Robert Berkeley.
Jo. Dinham.	Fr. Crawley.
Richard Hutton.	Ric. Weston.

Archiepisc. Cant.
GUIL. LAUD 4.

Anno Christi
1637.

Reg. Angliae
CAROL. I. 13.

King Charles's letter to the bishop of St. David's about an augmentation to his bishoprick. Reg. Laud fol. 278. a.

CHARLES REX.

TRUSTY and well beloved, we greet you well. Among the sundry cares, that attend our princely office, that of the church hath ever had the first place. Whereupon we well weighing what havock hath been made of it, and the goodly endowments thereof in former times, and what great inconveniences must needs arise both to church and commonwealth, if the authority of bishops be not supported, as it ought, which cannot be of their necessary means, if their livelyhood and subsistence be once taken away; and being informed that the rectory of Kerrye, in the county of Montgomery, and diocese of St. David's, is a lease of good value, and belonging to that bishoprick, but at this present let to farm for term

Irrotulatur in memorand. faccarii, etc. ut supra.

In camera stellata coram concilio ibidem quarto die Julii, anno decimo tertio Caroli regis.

This day was read in court the certificate of the two lords chief justices, the lord chief baron, and other the justices of the courts of King's Bench, and Common Pleas, and barons of the Exchequer, made according to an order of reference to them granted the twelfth of May last, upon a motion made in the cause, wherein his majesty's attorney general is plaintiff against John Bastwick, doctor in physie, and other defendants; in which certificate the said judges have declared their opinions in point of law touching the several matters to them referred by the aforesaid order; and the same being so read in court, his majesty's attorney general humbly prayed, that the said certificate may be recorded in this court, and in all other the courts at Westm. and in the high commission and other ecclesiastical courts, for the satisfaction of all men, that the proceedings of the high commission and other ecclesiastical courts are agreeable to the laws and statutes of the realm; which the court held reasonable, and hath ordered it shall be so, and that after the same is enrolled in this court and other the courts aforesaid, the original certificate of the said judges shall be delivered to the most reverend father in God the lord archbishop of Cant. his grace, to be kept and preserved amongst the records of his court.

M. GOAD.

Irrotulatur in memorand. faccarii, etc. ut supra.

of years, and a concurrency upon it is in trust; and further, that the rectory of Glascombe in the county of Radnor, is likewise held by lease from the said bishoprick: we think it very fitting both these rectories, after expiration of the several leases and the concurrency aforesaid, be for ever kept in the hands of the bishop, for the time being, or otherwise disposed of for his use; always provided, that after they are once come into the bishop's hands, as aforesaid, no bishop shall make any lease, or estate of the premises, save only such as shall determine upon his leaving the bishoprick by death, preferment, or otherwise. And we do hereby further expressly will and command you the present bishop*, and all and every your successors, who from time to time shall succeed in that see, that you neither make nor renew any lease

* Dr. Manwaring the bishop submitted to these by his letters, Octob. 16, M.DC.XXXVII. W. CANT.

or leases whatsoever of the said rectories, or either of them, or any part or parcel thereof, to any man or men, upon any pretence whatsoever, save as aforesaid; but that you suffer the same to expire and determine, and then assume the said rectories into the demesns and for the necessary supporting of that bishoprick; and so to continue for ever: and that this our good intention to the church and that bishoprick may be the better taken notice of, our pleasure is, and we do hereby expressly command, that

Archiepisc. Cant.
GUIL. LAUD 4.

Anno Christi
1637.

Reg. Angliae
CAROL. I. 13.

A proclamation declaring that the proceedings of his majesty's ecclesiastical courts and ministers are according to the laws of the realm.

By the king.

WHEREAS in some of the libellous books and pamphlets lately published, the most reverend father in God, the lord archbishop, and bishops of this realm are said to have usurped upon his majesty's prerogative royal, and to have proceeded in the high commission and other ecclesiastical courts, contrary to the laws and statutes of this realm; it was ordered by his majesty's high court of Starchamber the twelfth day of June last, that the opinion of the two lords chief justices, the lord chief baron, and the rest of the judges and barons, should be had and certified in those particulars; viz. whether processes may not issue out of the ecclesiastical courts in the name of the bishops? Whether a patent under the great seal be necessary for the keeping of the ecclesiastical courts and enabling citations, suspensions, excommunications, and other censures of the church? And whether citations ought to be in the king's name, and under his seal of arms, and the like for institutions and inductions to benefices, and correction of ecclesiastical offences? Whether bishops, archdeacons, and other ecclesiastical persons may or ought to keep any visitation at any time, unless they have express commission or patent under the great seal of England to do it, and that as his majesty's visitors only, and in his name and right alone?

Whereupon his majesty's said judges having taken the same into their serious consideration, did unanimously concur and agree in opinion, and the first day of July last certified under their hands as followeth: That processes may issue out of the ecclesiastical courts in the name of the bishops; and that a patent under the great seal is not necessary for the keeping of the said ecclesiastical courts, or for enabling of citations, suspensions, excommunications, and other censures of the church; and that it is not necessary that summons, citations, or other processes ecclesiastical in the said courts, or institu-

these our letters be recorded, and kept in your public registry, and likewise in the registry of St. Davids; and that the tenors be both by your successors from time to time in all things observed most inviolably, as you or any of them will answer the contrary at your utmost perils. So we bid you heartily farewell. Given under our signet at our court at Greenwich the ninth day of July, in the thirteenth year of our reign, annoque Domini M.DC.XXXVII.

tions, or inductions to benefices, or correction of ecclesiastical offences by censure in those courts, be in the king's name, or with the stile of the king, or under the king's seal, or that their seals of office have in them the king's arms; and that the statute of "primo Edwardi sexti, cap. secundo," which enacted the contrary, is not now in force; and that the bishops, archdeacons and other ecclesiastical persons may keep their visitations as usually they have done without commission under the great seal of England so to do. Which opinions and resolutions being declared under the hands of all his majesty's said judges, and so certified into his court of Starchamber, were there recorded. And it was by that court further ordered the fourth day of the said month of July, that the said certificate should be enrolled in all other his majesty's courts at Westminster, and in the high commission and other ecclesiastical courts, for the satisfaction of all men; that the proceedings in the high commission and other ecclesiastical courts are agreeable to the laws and statutes of the realm.

And his royal majesty hath thought fit, with advice of his council, that a public declaration of these the opinions and resolutions of his reverend and learned judges, being agreeable to the judgement and resolutions of former times, should be made known to all his subjects, as well to vindicate the legal proceedings of his ecclesiastical courts and ministers from the unjust and scandalous imputation of invading or entrenching on his royal prerogative, as to settle the minds and stop the mouths of all unquiet spirits, that for the future they presume not to censure his ecclesiastical courts or ministers in these their just and warrantable proceedings. And hereof his majesty admonisheth all his subjects to take warning, as they shall answer the contrary at their perils. Given at the court at Lyndhurst the 18. day of August, in the XIII. year of his majesty's reign.

God save the king.

King

Archiepisc. Cant.
GUIL. LAUD 5.

Anno Christi
1637.

Reg. Angliae.
CAROL. I. 13.

King Charles's letter to the high commissioners to proceed against such as refuse to take the oath, etc. Reg. Laud fol. 287. a.

CHARLES REX.

MOST reverend father in God, right trusty and right entirely beloved counsellors; right trusty and right well beloved cousins and counsellors; right reverend father in God, right trusty and well beloved; right trusty and well beloved counsellors, and right and well beloved, we greet you well. Whereas we are given to understand, that divers disorderly and refractory persons have been seduced, or withdrawn themselves from their obedience to our ecclesiastical laws into several ways of separation, sects, schisms, and heresies; and being convented for the same, or for other their misdemeanors and enormous offences before you our commissioners for causes ecclesiastical, are grown to that obstinacy and disobedience, that some of them refuse to take their oath, and others being sworn refuse to answer to the articles and matters there objected unto them, or by equivocation, or other undue evasions do not make full and plain answer to the same, as by law they ought; now forasmuch as you our said commissioners for causes ecclesiastical are authorized by our letters patents under our great seal, and that your proceedings are not only and wholly according to the formal manner and terms of the civil or canon laws, but with some relation to the form of proceeding used in our courts of Star Chamber, Chancery, or courts of Requests, and Exchequer, wherein defendants and delinquents have always used to answer upon their oaths in causes against themselves, and also to answer interrogatories touching their own contempts and crimes objected to them, which course in those courts is daily practised and held agreeable to the laws and customs of this our realm; therefore for the better regulating of such contemptuous persons in and for their obedience to our ecclesiastical laws, we do hereby declare and signify of our own meer motion, and certain knowlege, and by our supreme power ecclesiastical do order and appoint, that all such persons, as shall be

legally called into our high commission court before you our said commissioners, shall and may lawfully by you be enjoined to take their corporal oaths, and by virtue thereof to answer to such articles and interrogatories, as shall be there objected against them, being of ecclesiastical cognizance, and within the limits of our said commission by our said letters patents granted unto you our said commissioners; and if any person or persons out of their own perverse will or obstinacy shall either refuse to take such oath before you our said commissioners, or being sworn shall refuse to answer, or not make a full and plain answer to the said articles or interrogatories to them objected, that then after due motion given, and intimation made to the said persons in that behalf, if they shall still continue and persist in this their contumacy, every such person so refusing to be sworn, or being sworn refusing to answer, or not fully and plainly answering to the said articles and interrogatories, shall and may be declared and adjudged by you our said commissioners "pro confesso," and shall be held and had as confessed and convicted legally of all those articles and matters, to which he so refuseth to be sworn, or being sworn shall refuse to answer, or not make full and plain answer as aforesaid: and these our letters shall be a sufficient warrant and discharge in that behalf. Given under our signet at our palace of Westm. the fourth day of February, in the XIIIth year of our reign.

To the most reverend father in God; our right trusty and right entirely beloved counsellors William, lord archbishop of Cant. primate and metropolitan of all England, and Richard, lord archbishop of York, primate and metropolitan of England, and to the rest of our commissioners of our court of high commission now being, and to all and singular the commissioners of that court that hereafter for the time shall be.

Archiepisc. Cant.
GUIL. LAUD 5.

Anno Christi
1638.

Reg. Angliae
CAROL. I. 14.

Decreta primae synodi Kilmorensis. Ex vita Will. Bedell, episc. Kilmor.
p. 79. et 237.

AFTER the bishop had been for many years carrying on the reformation of his diocese; he resolved to hold a synod of all his clergy, and to establish some rules for the better government of the flock committed to him. The canons then established are as follows:

In nomine Domini Dei et salvatoris nostri Jesu Christi.

Regnante in perpetuum, ac gubernante ecclesiam suam eodem Domino nostro Jesu Christo,
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annoque imperii serenissimi principis ac domini Caroli, Dei gratia Magnae Britanniae et Hiberniae regis, decimo quarto, cum ad ecclesiam cathedralem Kilmorensensem, monitu Guilielmi episcopi, convenisset capitulum totius dioeceseos, ad synodum dioecesanam celebrandam, post fusas ad Deum preces pro publica pace, regisque et familiae regiae incolumitate, et peracta sacra synaxi, verba fecit episcopus de ejusmodi synodorum antiquitate, necessitate, et auctoritate, et
6 X cum

cum venisset in consultationem, quibus rationibus et fidei sinceritas, et morum sanctitas, et decor domus Dei, et ministrorum libertas conservari posset, nihil conducibilius visum est, quam ut ea, quae a patribus bene ac prudenter antiquitus instituta sunt, quasi postliminii jure revocarentur: atque tractatu inter nos habito, ad extremum, in haec capitula unanimiter consensum est.

I. Synodum dioecesanam five capitulum quotannis tertia et quarta feria secundae hebdomadae mensis Septembris in ecclesia Kilmorensi tenendam, eum diem huic conventui statum et solennem fore sine ullo mandato; si res poscat in caeteris ordinationum temporibus presbyterium contrahi, episcopi mandatum expectandum.

II. In episcopi absentia aut morbo, vicarius ejus, si presbyter fuerit, praesidebit; alioqui archidiaconus, qui de jure vicarius est episcopi.

III. Vicarius episcopi in posterum nullus constituitur aut confirmetur, qui laicus est, nec quisquam prorsus nisi durante duntaxat beneplacito.

IV. Ut archidiaconus de triennio in triennium dioecesein personaliter visitet, singularum ecclesiarum, aediumque mansionalium facta tecta tueatur, libros et ornamenta in indiculo descriptos habeat, defectus omnes supplendos curet; episcopalis procurationis dimidium habeat, ea conditione ut episcopus illo anno non visitet.

V. Ut secundum pristinam et antiquam hujus dioeceseos Kilmorensis constitutionem in tribus ejus regionibus, tres decani sint, ab ipsis ministris ejusdem decanatus eligendi, qui vitam et mores cleri jugi circumspectione custodiant, et ad episcopum referant, ejusque mandata accipiant, et quoties opus erit, per apparitorem decanatus ad compresbyteros suos transmittant.

VI. In quovis decanatu, in oppido ejus principali, conventus five capitulum sit ministrorum quolibet saltem mense, ubi lectis plene publicis precibus concionentur per vices sine longis precibus et prooemiis.

VII. Advocationes ecclesiarum nondum vacantium, quae ad collationem episcopi spectant, nemini conferantur aut confirmentur.

VIII. Possessiones ecclesiae non alienentur aut locentur contra regni jura, nempe terrarum mensalium nulla sit locatio, nisi quoad episcopus in sede aut vita superfit, caeterarum in plures annos, quam leges sinunt, aut prioribus locationibus triennio minus nondum expletis.

IX. Ut corpora defunctorum deinceps in ecclesiis non humentur, sed nec intra quintum

pedem a pariete extrorsum.

X. Ut mulieres in sacrario non sedeant, sed infra cancellos, et quidem a viris.

XI. Ut sacrarium in consistorium non convertatur, aut sacra mensa notariis aut scribis sit pro pluteo.

XII. Ne in funeribus mulieres luctum aut ululatum faciant.

XIII. Ut ossa defunctorum in coemeteriis non coacerventur, sed tradantur sepulturae.

XIV. Ut matricula sit, in quam referantur nomina eorum, qui ad sacros ordines admissi sunt aut instituti, aut admissi ad beneficia, five ad curam animarum cooptati, clericorum item parochialium et ludimagistrorum, neque deinceps ad literas testimoniales in visitationibus exhibendas adigatur.

XV. Ne quis minister oblationes ad funera, baptismum, eucharistiam, nuptias, post puerperium aut portionem canonicam cuiquam locet.

XVI. Ne quis ejusmodi oblata acerbe exigat, praesertim a pauperibus.

XVII. Ut fas sit ministro a sacra coena repellere eos, qui se ingerunt ad synaxin, neque nomina sua pridie paracho significarunt.

XVIII. Ut pueri saltem a septimo aetatis anno, donec confirmentur per manuum impositionem, stent inter catechumenos, factoque catalogo, singulis dominicis certus eorum numerus sistatur in ecclesia examinandus.

XIX. Si quis minister quemquam ex fratribus suis alibi accusaverit, priusquam episcopo denunciaret, ab ejus consortio caeteri omnes abstinerebunt.

XX. Clerici comam ne nutrant, et habitu clericali, prout synodo Dublinensi institutum est, incedant.

XXI. Oeconomi parochiarum provideant, ne in ecclesia tempore cultus divini pueruli discursent, utque canes arceantur constitutis ostiariis, vel multa imposita, si quis semel atque iterum admonitus canem secum in ecclesiam introduxerit.

XXII. Ut nulla excommunicationis sententia fuerat ab uno solo ministro, sed ab episcopo, assistentibus quotquot in capitulo fuerint praesentes.

Haec decreta synodalia quoniam ex usu hujus dioeceseos futura credimus, et ipsi observabimus, et quantum in nobis est, ab aliis observanda curabimus, adeoque manus suae quisque subscriptione corroboremus.

Septemb. 15.
M.DC.XXXVIII.

Archiepisc. Cant.
GUIL. LAUD 8.

Anno Christi
1640.

Reg. Angliae
CAROL. I. 16.

Convocatio praelatorum et cleri provinciae Cantuar. per breve regium ad 14. diem mensis Aprilis in ecclesia S. Pauli London. sumonita. Ex Origin. et Nalson's Collect. vol. I. p. 351. seqq.

IN prima hujus synodi sessione post peracta sacra breve regium, mandatum archiepiscopi et certificatorium episcopi London. super executione mandati citatorii et monitorii reverendissimi publice perlegebantur; coetus domus

inferioris convocationis prolocutorem eligere et proxima sessione praesentare jubebatur, et scheda contra contumaces legebatur.

In secunda sessione (17. die mensis Aprilis) in ecclesia collegiata D. Petri Westmonast. sub-

decanus

decanus et alii ecclesiae illius praebendarii privilegia ecclesiae suae illaesa asserere volentes, contra sessionem convocationis in ea protestati sunt; quibus reverendissimus in consueta orationis forma praesentibus confratribus suis ac clero provinciae suae libertates et immunitates eorum inconcussas relinquere protestatus est. Deinde Richardus Steward, in prolocutorem electus, ab archiepiscopo approbatus fuit. Postea lecta fuit licentia regia sigillo magno Angliae sigillata, de ordinando et conficiendo quasdam constitutiones, ordinationes, five capitula, statum ecclesiasticum, sinceram religionem, et utilitatem ecclesiae Anglicanae concernentes. Hoc facto, reverendissimus "prolocutorem et alios de domo inferiori, decanos, archidiaconos, capitula, et cleri procuratores ibidem praesentes monuit, ut ipsi inter se convenirent et mature excogitarent de subsidiis dicto domino nostro regi concedendis, et canonibus ac constitutionibus, statum ecclesiasticum et Christi religionem in ecclesia Anglicana concernentibus, concipiendis; et quicquid inde senserint five excogitaverint, in scriptis redigant, et coram ipso reverendissimo et confratribus suis episcopis exhibeant."

In tertia sessione (22. die Aprilis) reverendissimus prolocutori et toti coetui domus inferioris "notum fecit permagnas illas expensas, quae per regiam majestatem ex causis urgentibus erogandae sunt, et illa non minus pericula, quae et statui et regno Angliae hoc tempore imminet; eisque de causis et aliis per ipsum reverendissimum expositis, se et confratres suos praedictos inter se tractasse et convenisse de sex subsidiis et majori numero subsidiorum (si aliquo tempore major numerus per praelatos et clerum Cant. provinciae concessus ex registro constaret) illustrissimo domino nostro regi per ipsos concedendis, juxta ratam quatuor solidorum de qualibet libra desuper concipiendo, et de solvendo dicta subsidia in tam brevi tempore, quam aliqua unquam soluta fuere. Eisdemque rogavit, ut in testimonium singularis eorum obedientiae et obsequii erga dictum dominum nostrum regem, concessionem hujusmodi statim suum praeberent consensum, et responsa darent, habito prius tractatu inter eos de eisdem." Hanc concessionem ut eo felicius expedirent, de examinatore et correctore libri subsidiorum ex utraque domo convocationis eligendis convenerunt. Deinde prolocutor cum toto coetu ad domum superiorem revertens, "nomine suo et eorum dixit, quod ipse et coetus domus inferioris de propositis diligenter tractarunt, et omnes eorum consensum libentissime dederunt concessionem dictorum sex subsidiorum, et majoris numeri, si major numerus per clerum unquam concedebatur, juxta ratam quatuor solidorum de qualibet libra." Postea de precibus pro parlamento et pace ac tranquillitate regni actum est his verbis: "Et ut Deus bonorum omnium largitor hoc praesens parlamentum ita disponeret, quod omnes in eodem conventi in unum consentirent, ad Dei gloriam et honorem, ecclesiae utilitatem et commodum, ac regis et regni pacem et tranquillitatem, praefatus reverendissimus pater do-

minus archiepiscopus de mandato regio voluit divinam Dei gratiam implorari, ac formulam precis ad eundem effectum per duos doctos et graviores viros coetus domus inferioris eligendos concipi." Ad quas preces componendas electi fuerunt Guilielmus Bray, et Joh. Oliver, facellani dom. archiepisc. Cant. Eodem die reverendissimus sermonem habuit cum coetu domus inferioris convocationis "de capitulis canonum concipiendis, et dixit se et confratres suos de duobus capitulis everfionem five suppressionem Jesuitarum, presbyterorum, et aliorum Romanae ecclesiae concernent, tractasse, et de eisdem consensisse; eademque in binis schedulis papiri (ut apparuit) conscripta produxit, et easdem schedulas dicto domino prolocutori tradidit, toti coetui domus inferioris proponendas, legendas, et publicandas; cum monitione, quod copias earum cuicunque tradere minime praesumat. Et si aliquis dictae domus aliquid dictis capitulis contrarium proponat, porrigat in scriptis, et tradat in manus domini prolocutoris, domino archiepiscopo et caeteris episcopis domus superioris exhibiturum, ut ipsi de eisdem consultarent."

Quarta sessio (24. die Aprilis) prorogabatur in 25. Aprilis.

Quo die de libro subsidiorum domino regi concedendorum actum fuit; et "ulterius pro meliori expeditione negotiorum hujus sacrae synodi idem reverendissimus cum consensu et assensu eorundem confratrum suorum ordinavit, quod nullus episcopus aut aliquis e clero copiam canonis aut partis canonis propositi et tractati exscribere, aut de aliquo hujusmodi canone foras fabulare praesumpserit, donec hac convocatione five sacra synodo plenarie et finaliter assensum, et sacra regia majestate approbatum erit, sub poena suspensionis cujuslibet e clero per tres menses, et synodicae monitionis pro quolibet praelato, qui ita peccaverit." Deinde preces a doctoribus Bray, et Oliver pro parlamento et statu regis et regni compositae, domino archiepiscopo traditae et mutato uno verbo approbatae sunt.

Sexta sessio (29. die Aprilis) septima (2. die Maii) octava (5. mensis Maii) nona (9. mensis Maii) prorogabantur virtute commissionis ab archiepiscopo.

In decima sessione (13. mensis Maii) reverendissimus aliam licentiam regiam magno sigillo Angliae sigillatam, de ordinando et conficiendo quasdam constitutiones, ordinationes, five canones, statum ecclesiasticum concernentes, ad regium suum beneplacitum duraturam, cum omni reverentia et humilitate introduxit. Et post discursum inter reverendissimum et episcopos habitum de tumultu infimae plebis nuperime circa civitatem et suburbia ejusdem confluentis, reverendissimus voluit ut prolocutor et coetus domus inferioris convocationis "inter se convenirent et excogitarent de benevolentia five extraordinaria contributione dicto serenissimo domino nostro regi concedenda, et deinde de canonibus et constitutionibus, statum ecclesiasticum et ecclesiae utilitatem concernentibus componend. faciend. et inter se consentiend. et ut ipsi pro meliori et celeriori istius negotii expeditione

petitione quosdam graviore et doctiores viros de gremio suo eligerent, dictum negotium de canonibus concipiendis subituros." Nomina ad hoc negotium electorum sunt,

Richardus Steward, L. L. D. prolocutor, Isaac Bargrave, S. T. P. decanus Cantuar. Thomas Wyniff, S. T. P. decanus S. Pauli London. Richardus Baily, S. T. P. decanus Salisbur. Thomas Pask, S. T. P. archidiac. London. Andreas Bing, S. T. P. archidiac. Norwicen. Radulph. Brownrig, S. T. P. archidiac. Coventr. John. Mountfort, S. T. P. procurator capituli London. Gilbertus Sheldon, S. T. P. procurator capituli Glocestr. dominus Johannes Lamb, miles, L. L. D. commissar. curiae de arcubus, Thomas Turner, S. T. P. procurator cleri Lincoln. Gilbert. Ironside, S. T. P. procurator cleri Winton. Edward. Franklyn, S. T. P. procurator cleri Bristol. Benjamin Laney, S. T. P. prolocutor cleri Norwicen.

Et quia hoc tempore quaestio oriebatur, num post parliamenti dissolutionem convocatio cleri congregari posset, opinio custodis magni sigilli Angliae et aliorum iudicum expetebatur.

"The opinion of the lord keeper and others, the judges, and of the king's council for the continuance of the convocation as follows: "

"The convocation being called by the king's writ under the great seal, doth continue until it be dissolved by writ or commission under the great seal, notwithstanding the parliament be dissolved. May 14. M.DC.XL.

John Finch, custos M. S.	Robert Heath.
H. Manchester.	Edward Littleton.
John Bramston.	John Banks.
Ralph Whitfeld.	

In undecima sessione (15. mensis Maii) comparuit dominus Henricus Vane, unus e secretariis principalibus domini regis, et thesaurarius hospitii regii, qui coram tota synodo declaravit se fuisse per dictum dominum regem ad hanc domum missum, ad regiam suam voluntatem eidem narrandam. Sc. quod idem dominus noster rex licentiam sive commissionem de ordinando canones et constitutiones ecclesiasticas pro meliori gubernatione ecclesiae ad Dei gloriam, regis honorem, et totius huius regni pacem, uti speratur huic sacrae synodo ex gratia speciali concedens cum dominis de privato suo concilio consultum habuit, an huiusmodi sacra synodus ad huiusmodi canones et constitutiones faciend. procederet, necne; et dicti domini unanimi consensu, nullo eorum dissentiente, vota eorum exhibuerunt, et tanquam maxime necessarium ad iudicarunt, ut sacra haec synodus ad istos canones, juxta potestatem eidem synodo datam, faciend. et concipiend. procedat. Ideoque dictus honorandus vir nomine et ex parte dicti domini regis hortatus est, ut tales canones in brevi tempore fiant, quales ecclesiae et praesenti huic statui maxime utiles sint. Et subjuncta alia brevi oratione per reverendissimum patrem antedictum praelatis et toti coetui praedicto, cum monitione nomine dicti domini regis, ut nullus

eorum a dicta sacra synodo discedat, donec omnia juxta mandatum regium praedictum perimplerantur; idem reverendissimus pater una cum dicto honorando viro a dicta sacra synodo ad consilium ineundum cum domino rege apud Whitehall recessit.

In duodecima sessione (16. die Maii) prolocutor cum nonnullis e coetu domus inferioris convocationis capitula quaedam canonum reverendissimo tradidit; et deinde reverendissimus colloquium habuit cum episcopis de exiguitate exhibitionum cleri indigentioris, in detinendo ab eis per proprietarios et eorum firmarios oblationes, et salaria sive feoda ecclesiastica pro mulierum post partum purificationibus, matrimoniorum solemnizationibus, et demortuorum sepulturis, et etiam de magna illa injuria clero per laicos illata, in eligendo tales gardianos et clericos parochiales, qui eos opponunt et inquietant, ad maximum eorum praejudicium et incommodum. Nonnulla deinde de libello sive forma concessionis benevolentiae sive contributionis voluntariae tractabantur. Ac tandem prolocutor cum aliis domum superiorem intravit, canonemque reverendissimo pro brevi e curia cancellariae impetrando de excommunicatis capiendis tradidit.

In decima tertia sessione (18. die Maii) regiae literae toti clero sub signaculo regio directae legebantur, quae huius tenoris erant:

CHARLES R.

Most reverend father in God, right trusty and right entirely beloved counsellor, right reverend father in God, right trusty and well beloved, we greet you well. Whereas we of our meer grace and favour and for the good and peace of the church, have granted to you our archbishop of Canterbury free leave and licence under our great seal of England, bearing date the 12th of this instant May, to propose, treat, and conclude upon all such necessary articles and canons, which you shall find to be ordered for the better peace and government of this church; provided that you shall thereby have no power to meddle with, nor alter any thing ratified and confirmed by act of parliament; and whereas we have further in that licence, which we have granted unto you under our sign manual or signet. . . these are therefore to will and require you to propose, treat, and conclude upon such a canon, as may secure us and all our loving subjects, against all growth and increase of popery in this our kingdom, as also of any heretical or schismatical opinions to the prejudice of the doctrine or discipline of this church of England, established by law. And that in this case you agree upon some oath to be taken by yourselves and all the clergy respectively, and by all, which shall hereafter take on them holy orders; that they shall adhere constantly to the doctrine and discipline here established, and never give way, for so much as can any way concern them, to any innovation or alteration thereof. And when you have made this canon, and inserted this oath, we require you to present it to us, that we may advise upon it; and if upon mature consultation we

we approve it, we shall confirm it: and then give you power under our great seal, both to take the said oath yourselves, and to administer it to all such as the canon appoints.

Given under our signet at our court at Whitehall the 17th day of May, in the sixteenth year of our reign.

Hoc facto, nonnullae querelae contra clericos et nominatim contra doctorem Beale in synodo proponebantur, quod verbis pacem regni perturbantibus in concionibus suis usi fuerint; alia querela exhibita fuit ab archidiacono Roffensi, doctore Burges, quod contra privilegium convocationis, breve de subpoena e curia scaccarii executi fuerint in eum ministri regii. Canon deinde contra recusantes examinabatur, ac certae clausulae in iis contentae dominis iustitiariis primariis corrigendae committebantur.

Decima quarta sessio fuit eodem die post meridiem, quae prorogabatur ad 19. mensis Maii.

In decima quinta sessione (19. mensis Maii) canon contra recusantes a domino iustituario primario correctus confirmabatur; postea principium et finis articulorum de potestate regia, atque canon contra Socinianos post varias consultationes inter utramque domum approbabantur.

In decima sexta sessione (20. mensis Maii) rursus tractatum fuit de canone contra Socinianos, cui tandem unanimiter consensit synodus. Ibi forma iuramenti examinata toti coetui domus inferioris committebatur ad assensum eorum obtinendum. Tunc canones de collectione contributionis voluntariae legebantur, ac prolocutor tradidit in manus reverendissimi schedulam pro literis de excommunicatis capiendis extradendis.

In decima septima sessione (21. mensis Maii) literae regiae toti clero directae sub signaculo suo tenoris sequentis publice legebantur:

CHARLES R.

Most reverend father in God, right trusty and right entirely beloved counsellor; right reverend father in God, right trusty and well beloved; and trusty and well beloved, we greet you well. Whereas we understand by you the lord archbishop of Canterbury, you have confer'd and agreed amongst yourselves to represent unto us your humble and hearty service, and good affection towards us, by an extraordinary contribution and benevolence, to be granted to us by our whole clergy of that our province; we have therefore thought fit by these our letters to will and require you, according to the power given unto you by us, under our great seal, to finish and perfect the said concession; and also to make and ordain such decrees, canons, or constitutions for the collecting, levying, paying, and accounting of the said concession, as in your wisdom shall be thought fit for the better speeding of the same. And these our letters shall be your sufficient warrant and discharge in this behalf. Given under our signet at our palace at Westminster the 20th day of May, in the sixteenth year of our reign.

Subjectum harum literarum fuit negotium primarium sessionis hujus; antequam tamen il-

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la continuaretur, tractatum fuit in domo superiori de quodam canone five declaratione per domum inferiorem eis transmissa, concernente quosdam ritus five gestus in ecclesiis observandos.

Decima octava sessio eodem die post meridiem habita continuabatur ad 22. diem Maii.

In decima nona sessione (22. die Maii) reverendissimus cum confratribus suis episcopis tractatum habuit de canone pro recipienda sacra eucharistia, et pro locatione mensae sacrae. Cui tractatui Godfredus, episcopus Glocestrensis, se opposuit dicens, nulli canoni in hac synodo formando se ullo modo assensurum esse, nisi ex vetusto appareat testimonio et exemplo, legitima ex auctoritate sacram hanc synodum congregatam esse et agere posse. Libello tamen concessionis benevolentiae domino regi fiendae se consentire dixit. Multa deinde tractata sunt de libro articulorum, de tribus canonibus; de emendanda impressione liturgiae in sermonem Wallicum conversae, et de transferendis precibus die inaugurationis regiae usitandis; de canonibus contra sectarios, separatistas, et alios ad preces divinas venire recusantes; de legendis precibus singulis annis die inaugurationis regiae; et de consecrando pane et vino tempore ministrationis sacrae eucharistiae, quoties opus fuerit.

Vicesima sessio post meridiem ejusdem diei prorogabatur ad 23. diem Maii.

In vicesima prima sessione (23. die mensis Maii) liber articulorum visitationibus parochialibus ministrandorum examinabatur et ulteriori disquisitioni episcoporum nonnullorum committebatur.

In vicesima secunda sessione eodem die post meridiem habita, instrumentum benevolentiae five contributionis voluntariae domino regi praesentandum esse, decretum fuit.

In vicesima tertia sessione (Maii 27.) reverendissimus toti synodo exposuit, quod 25. die mensis instantis instrumentum benevolentiae cum magna gratiarum actione a domino rege fuerit receptum; item quod hesterno die canones in hac sacra synodo tractati, per ipsum reverendissimum regiae majestati in praesentis domino de privato suo sigillo lecti fuerint, regiaeque majestas et domini de concilio praedicto eodem unanimiter et sine haesitatione approbaverint, et quod tota synodus gratias pro laboribus et cura in conficiendis illis retulerit a regia majestate. Postea prolocutor praesentabat conclusionem canonis cujusdam pro suppressione papismi et papistarum; item canones contra judices ecclesiasticos et eorum registrarios et officarios, qui canones sessione vicesima quarta et vicesima quinta (die 28. Maii) rursus tractabantur.

In vicesima sexta et ultima sessione (Maii die 29.) liber septendecim canonum assensum et subscriptionem obtinuit domini archiepiscopi et omnium episcoporum (excepto episcopo Glocestrensi) ac totius coetus domus inferioris convocationis.

Et reverendissimus inter hasce subscriptiones interrogavit dictum dominum episcopum Glocestren. an dictis canonibus assensum suum praebere et nomen subscribere velit; idem dominus

6 Y

episcopus

episcopus respondendo denegavit. Unde reverendissimus primo, secundo, et tertio monuit eundem dominum episcopum ad subscribendum. Ipse refutavit, et sic ad secundam et tertiam monitionem canonicam respondebat, nisi ad subscribendum negative, petendo beneficium synodi. Tunc reverendissimus eundem dom. episcopum Glocestr. ob contumaciam et inobedientiam suam huiusmodi ab episcopatu suo pro parte sua deprivandum fore decrevit, ac monuit et iussit dominum Johannem Lambe, militem, tunc praesentem, ad concipiendam sententiam deprivationis; et ad vota et suffragia praelatorum ad eundem effectum processit. Post aliquem processum huiusmodi habitum, major pars praelatorum vota sua deprivationi dicti dom. episcopi praebuit. Tunc praefatus dominus episcopus obtulit ad subscribendum, et de facto nomen suum dicto libro apposuit. Quibus sic gestis, dictoque reverendo patre interrogato per reverendissimum ad rogatum prolocutoris et aliorum e coetu domus inferioris, an ipse subscripsit "voluntarie et ex animo, sine aequivocatione, animi evasione, et secreta reservatione?" respondebat quod ipse subscripsit et aliter denegavit respondere. Deinde dimisso dom. prolocutore cum toto coetu domus inferioris, reverendissimus et confratres sui praedicti super istud grave scandalum ecclesiae Anglicanae et huic sacrae synodo per dictum dom. episcopum illatum, inter se tractarunt et unanimiter vota sua dederunt pro suspensione ejusdem episcopi ab officio et beneficiis suis ecclesiasticis. Et mox dominus prolocutor cum toto coetu domus inferioris revertebat, ac nomine suo et totius coetus praedicti dixit se et totum coetum domus suae circa istud scandalum ecclesiae huic Anglicanae et synodo sacrae per dom. episcopum Glocestr. illatum tractasse, et vota sua et eorum suspensioni ejusdem episcopi ab officio et beneficiis praebuisse. Et ulterius dominus prolocutor nomine suo et eorum dominum archiepiscopum imploravit, ut dictus dom. episcopus Glocestr. ante recessum suum ab hac civitate, juramentum in sexto canone in hac sacra synodo tractat. mentionat. praestaret; et ut reverendissimus interrogaret eundem dom. episcopum, an ipse subscripsit bona fide, sine aequivocatione et animi evasione. Unde facta monitione dicto domino episcopo Glocestren. quod non recedat a civitate, donec juramentum praedictum ei oblatum praestiterit et subierit, reverendissimus cum consensu totius synodi dictum dom. episcopum Glocestr. ab officio et episcopatu suo Glocestren. et ab omnibus beneficiis suis ecclesiasticis suspendendum fore decrevit, donec serenissimo domino nostro regi sacrae et ecclesiae, ob magnum huiusmodi dedecus et grave scandalum illatum satisfecerit. Postremo per breve regium et mandatum reverendissimi eodem hoc die 29. Maii convocatio haec dissoluta fuit.

Secunda hujus anni convocatio praelatorum et cleri provinciae Cantuar. per breve regium in ecclesia S. Pauli London. ad diem quartum

Novembris summonebatur. In ea pro more solito sacra peragebantur, breve regium, mandatum archiepiscopi, et certificatorium episcopi London. publice legebantur, schedula contra contumaces, protestatio subdecani ecclesiae collegiatae Westmonast. et protestatio reverendissimi recitabantur, Richardus Steward prolocutor de novo electus, a reverendissimo approbatur. Et quid ulterius in hac synodo, tractatum sit, ex Heylini Cypriano Anglico, h. e. vita archiepiscopi Laudi, p. 460. describam. "Nothing more was done of any moment in this convocation, but that a motion was made by Warmistre, one of the clerks for the diocese of Worcester, to this effect; viz. "that they should endeavour according to the Levitical laws to cover the pit which they had opened," and to prevent their adversaries intention by condemning such offensive canons as were made in the last convocation. He had before offered at many things in that convocation, but such was his ill luck, that the vote was for the most part passed before he spake; nor had he better fortune in his motion now, than his offers then, the members of that house not being willing to condemn themselves, till they were accused. So that not having any other way to obtain his purpose, he caused a long speech, which he had made upon this occasion, to be put in print; bitter enough against some canons and proceedings in the former session; but such as could not save him from a sequestration, when the rest of the clergy were brought under the same condition." H. I.

In secunda hujus synodi sessione praedicatores pro die jejunii 17. die Novembris sequentis indicto, eliguntur. In hac oriebatur quaestio de electione procuratorum cleri pro dioecesi Lincoln. quae in septima sessione (secundo die Decembris) decisa, resuscitata tamen fuit die 27. mensis Januarii sequentis, et tertio die mensis Februarii consentientibus et acquiescentibus partibus querelatis, totum hoc negotium conclusum fuit.

Haec dum agerentur in septima sessione, controversia movebatur de potestate prolocutoris, quae in quatuor sequentibus quaestionibus continebatur.

I. Whether if the prolocutor hears any member of the house to speak any thing, which he conceives may be dangerous, he may interrupt him?

II. Whether if any speak impertinently?

III. If any one fall into vain repetitions of what was spoken of and satisfied before?

IV. Whether he may order that one only should speak at one time?

Quibus omnes et singuli praelati affirmative consenserunt, salva potestate eorum. Post decisionem controversiae de procuratoribus cleri pro dioec. Lincoln. convocatio ad 9. Februarii continuabatur. Quid autem eo die et seqq. actum sit et an aut quando synodus dissoluta sit, acta convocationis haud referunt.

Archiepsc. Cant.
GUIL. LAUD 8.

Anno Christi
1640.

Reg. Angliae
CAROL. I. 16.

Constitutions and canons ecclesiastical, treated upon by the archbishops of Canterbury and York, presidents of the convocations for the respective provinces of Canterbury and York, and the rest of the bishops and clergy of those provinces, and agreed upon with the king's majesty's licence in their several synods begun at London and York M.DC.XL. in the year of the reign of our sovereign lord Charles, by the grace of God king of England, Scotland, France, and Ireland, the sixteenth; and now published for the due observation of them by his majesty's authority under the great seal of England.

CHARLES, by the grace of God king of England, Scotland, France, and Ireland, defender of the faith, etc. to all, to whom these presents shall come, greeting. Whereas our bishops, deans of our cathedral churches, archdeacons, chapters, and colleges, and the other clergy of every diocese within the several provinces of Canterbury and York, being respectively summoned and called by virtue of our several writs to the most reverend father in God, our right trusty and right well beloved counsellor, William, by divine providence lord archbishop of Canterbury, primate of all England, and metropolitan, and to the most reverend father in God, our right trusty and well beloved counsellor, Richard, by divine providence lord archbishop of York, primate and metropolitan of England, respectively directed, bearing date the twentieth day of February, in the fifteenth year of our reign, to appear before the said lord archbishop of Canterbury in our cathedral church of St. Paul in London, and before the said lord archbishop of York in the metropolitan church of St. Peter in York, the fourteenth day of April then next ensuing, or elsewhere, as they respectively should think it most convenient, to treat, consent and conclude upon certain difficult and urgent affairs contained in the said writs, did thereupon at the time appointed, and within the cathedral church of St. Paul, and the metropolitan church of St. Peter aforesaid, assemble themselves respectively together, and appear in several convocations for that purpose, according to the said several writs, before the said lord archbishop of Canterbury, and the said lord archbishop of York respectively; and forasmuch as we are given to understand, that many of our subjects being misled against the rites and ceremonies now used in the church of England, have lately taken offence at the same, upon an unjust supposal, that they are not only contrary to our laws, but also introductive unto popish superstitions; whereas it well appeareth unto us, upon mature consideration, that the said rites and ceremonies, which are now so much quarrelled at, were not only approved of, and used by those learned and godly divines, to whom at the time of reformation under king Edward the sixth, the compiling of the book of Common Prayer was committed, divers of which suffered martyrdom in queen Mary's days, but also a-

gain taken up by this whole church under queen Elizabeth, and so duly and ordinarily practised for a great part of her reign, within the memory of divers yet living, as that it could not then be imagined that there would need any rule or law for the observation of the same, or that they could be thought to favour of popery.

And albeit since those times, for want of an express rule therein, and by subtle practises, the said rites and ceremonies began to fall into disuse, and in place thereof, other foreign and unfitting usages by little and little to creep in; yet forasmuch as in our own royal chapels, and in many other churches most of them have been ever constantly used and observed, we cannot now but be very sensible of this matter, and have cause to conceive that the authors and fomenters of these jealousies, though they colour the same with a pretence of zeal, and would seem to strike only at some supposed iniquity in the said ceremonies; yet, as we have cause to fear, aim at our own royal person, and would fain have our good subjects imagine that we ourself are perverted, and do worship God in a superstitious way, and that we intend to bring in some alteration of the religion here established. Now how far we are from that, and how utterly we detest every thought thereof, we have by many public declarations, and otherwise upon sundry occasions given such assurance to the world, as that from thence we also assure ourself, that no man of wisdom and discretion could ever be so beguiled, as to give any serious entertainment to such brainsick jealousies; and for the weaker sort, who are prone to be misled by crafty seducers, we rest no less confident, that even of them, as many as are of loyal, or indeed but of charitable hearts, will from henceforth utterly banish all such causeless fears and surmises, upon these our sacred professions so often made by us, a christian defender of the faith, their king and sovereign. And therefore if yet any person under whatsoever mask of zeal, or counterfeit holiness, shall henceforth by speech or writing, or any other way (notwithstanding these our right, hearty, faithful, and solemn protestations made before him, whose deputy we are, against all and every intention of any popish innovation) be so ungracious and presumptuous, as to vent any poisoned conceits, tending to such a purpose, and to cast these devilish aspersions and

and jealousies upon our royal and godly proceedings, we require all our loyal subjects, that they forthwith make the same known to some magistrate, ecclesiastical or civil: and we straitly charge all ordinaries, and every other person in any authority under us, as they will answer the contrary at their utmost peril, that they use no palliation, connivance, or delay herein; but that taking particular information of all the passages, they do forthwith certify the same unto our court of commission for causes ecclesiastical, to be there examined, and proceeded in with all fidelity and tenderneſs of our royal majesty, as is due to us their ſovereign lord and governor. But forasmuch as we well perceive, that the misleaders of our well minded people do make the more advantage for the nourishing of this distemper among them from hence, that the foresaid rites and ceremonies or some of them, are now insisted upon but only in some dioceses, and are not generally revived in all places, nor constantly and uniformly practised throughout all the churches of our realm, and thereupon have been liable to be quarrelled and opposed by them who use them not; we therefore out of our princely inclination to uniformity and peace, in matters especially that concern the holy worship of God, proposing to our self herein the pious examples of king Edward VI. and of queen Elizabeth, who sent forth injunctions and orders about the divine service and other ecclesiastical matters, and of our dear father of blessed memory king James, who published a book of constitutions and canons ecclesiastical; and (according to the act of parliament in this behalf) having fully advised herein with our metropolitan, and with our commissioners authorized under our great seal for causes ecclesiastical, have thought good to give them free leave to treat in convocation; and agree upon certain other canons necessary for the advancement of God's glory, the edifying of his holy church, and the due reverence of his blessed mysteries and sacraments: that as we ever have been, and by God's assistance (by whom alone we reign) shall ever so continue careful and ready to cut off superstition with one hand, so we may no less expell irreverence and profaneness with the other; whereby it may please almighty God so to bless us, and this church committed to our government, that it may at once return unto the true former splendor of uniformity, devotion, and holy order, the lustre whereof for some years bypast hath been over much obscured, through the devices of some ill affected to that sacred order, wherein it had long stood from the very beginning of the reformation, and through inadvertency of some in authority in the church under us. We therefore by virtue of our prerogative royal, and supreme authority in causes ecclesiastical, by our several and respective letters patents under our great seal of England, dated the fifteenth day of April now last past, and the twelfth day of May then next following, for the province of Canterbury; and by our like letters patents dated the seven and twentieth

day of the same month of April, and the twentieth day of the month of May aforesaid, for the province of York, did give and grant full, free, and lawful liberty, licence, power, and authority unto the said lord archbishop of Canterbury, president of the said convocation for the province of Canterbury, and unto the said lord archbishop of York, president of the said convocation for the province of York, and to the rest of the bishops of the said provinces, and unto all deans of cathedral churches, archdeacons, chapters, and colleges, and the whole clergy of every several diocese within the said several provinces, and either of them, that they should and might from time to time, during the present parliament, and further during our will and pleasure, confer, treat, debate, consider, consult, and agree of, and upon canons, orders, ordinances, and constitutions, as they should think necessary, fit and convenient for the honour and service of almighty God, the good and quiet of the church, and the better government thereof, to be from time to time observed, performed, fulfilled, and kept as well by the said archbishop of Canterbury, and the said archbishop of York, the bishops, and their successors, and the rest of the whole clergy of the said several provinces of Canterbury and York, in their several callings, offices, functions, ministries, degrees, and administrations; as by all and every dean of the Arches, and other judges of the said several archbishops courts, guardians of spiritualities, chancellors, deans and chapters, archdeacons, commissaries, officials, registers, and all and every other ecclesiastical officers, and their inferior ministers whatsoever, of the same respective provinces of Canterbury, and York, in their, and every of their distinct courts, and in the order and manner of their, and every of their proceedings, and by all other persons within this realm, as far as lawfully being members of the church it may concern them, as in our said letters patents amongst other clauses more at large doth appear.

Now forasmuch as the said lord archbishop of Canterbury, president of the said convocation for the province of Canterbury, and the said archbishop of York, president of the said convocation for the province of York, and others the said bishops, deans, archdeacons, chapters, and colleges, with the rest of the clergy, having met together respectively, at the time and places before mentioned respectively, and then and there, by virtue of our said authority granted unto them, treated of, concluded, and agreed upon certain canons, orders, ordinances, and constitutions, to the end and purpose by us limited and prescribed unto them, and have thereupon offered and presented the same unto us, most humbly desiring us to give our royal assent unto the same, according to the form of a certain statute or act of parliament made in that behalf in the five and twentieth year of the reign of king Henry VIII. and by our said prerogative royal and supreme authority in causes ecclesiastical, to ratify by our letters patents under our great seal of England, and to confirm

firm the same, the title and tenor of them being word for word as ensueth:

I. Concerning the regal power.

Whereas sundry laws, ordinances, and constitutions have been formerly made for the acknowledgment and profession of the most lawful and independent authority of our dread sovereign lord, the king's most excellent majesty, over the state ecclesiastical and civil; we (as our duty in the first place binds us, and so far as to us appertaineth) enjoin them all to be carefully observed by all persons whom they concern, upon the penalties of the said laws and constitutions expressed.

And for the fuller and clearer instruction and information of all christian people within this realm in their duties in this particular,

We do further ordain and decree, that every parson, vicar, curate, or preacher, upon some one Sunday in every quarter of the year at morning prayer, shall in the place where he serves, treatably and audibly read these explanations of the regal power here inserted:

The most high and sacred order of kings is of divine right, being the ordinance of God himself, founded in the prime laws of nature, and clearly established by express texts both of the Old and New Testaments. A supreme power is given to this most excellent order by God himself in the scriptures, which is, that kings should rule and command in their several dominions all persons of what rank or estate soever, whether ecclesiastical or civil, and that they should restrain and punish with the temporal sword all stubborn and wicked doers.

The care of God's church is so committed to kings in the scripture, that they are commended when the church keeps the right way, and taxed when it runs amiss, and therefore her government belongs in chief unto kings; for otherwise one man would be commended for another's care, and taxed but for another's negligence, which is not God's way.

The power to call and dissolve councils both national and provincial, is the true right of all christian kings within their own realms and territories: and when in the first times of Christ's church prelates used this power, 'twas therefore only because in those days they had no christian kings; and it was then so only used as in times of persecution, that is, with supposition (in case it were required) of submitting their very lives unto the very laws and commands even of those pagan princes, that they might not so much as seem to disturb their civil government, which Christ came to confirm, but by no means to undermine.

For any person or persons to set up, maintain, or avow in any their said realms or territories respectively, under any pretence whatsoever, any independent coactive power, either papal or popular (whether directly or indirectly) is to undermine their great royal office, and cunningly to overthrow that most sacred ordinance which God himself hath established; and so is

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treasonable against God as well as against the king.

For subjects to bear arms against their kings offensive or defensive, upon any pretence whatsoever, is at least to resist the powers which are ordained of God; and though they do not invade, but only resist, St. Paul tells them plainly, they shall receive to themselves damnation.

And although tribute, and custom, and aid, and subsidy, and all manner of necessary support and supply be respectively due to kings from their subjects by the law of God, nature, and nations for the public defence, care, and protection of them; yet nevertheless subjects have not only possession of, but a true and just right, title, and property to, and in all their goods and estates; and ought to have: and these two are so far from crossing one another, that they mutually go together for the honourable and comfortable support of both. For as it is the duty of the subjects to supply their king, so is it part of the kingly office to support his subjects in the property and freedom of their estates.

And if any parson, vicar, curate, or preacher shall voluntarily or carelessly neglect his duty in publishing the said explications and conclusions, according to the order above described, he shall be suspended by his ordinary, till such time as upon his penitence he shall give sufficient assurance or evidence of his amendment; and in case he be of any exempt jurisdiction, he shall be censurable to his majesty's commissioners for causes ecclesiastical.

And we do also hereby require all archbishops, bishops, and all other inferior priests and ministers, that they preach, teach, and exhort their people to obey, honour, and serve their king; and that they presume not to speak of his majesty's power in any other way, than in this canon is expressed.

And if any parson, vicar, curate, preacher, or any other ecclesiastical person whatsoever, any dean, canon, or prebendary of any collegiate or cathedral church, any member or student of college or hall, or any reader of divinity or humanity in either of the universities, or elsewhere, shall in any sermon, lecture, common place, determination, or disputation, either by word or writing publickly maintain or abet any position or conclusion in opposition or impeachment of the aforesaid explications, or any part or article of them, he shall forthwith by the power of his majesty's commissioners for causes ecclesiastical be excommunicated till he repent, and suspended two years from all the profits of his benefice, or other ecclesiastical, academical, or scholastical preferments: and if he so offend a second time, he shall be deprived from all his spiritual promotions, of what nature or degree soever they be.

Provided always, that if the offence aforesaid be given in either of the universities by men not having any benefice or ecclesiastical preferment, that then the delinquent shall be censured by the ordinary authority in such cases

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of

of that university respectively, where the said fault shall be committed.

II. For the better keeping of the day of his majesties most happy inauguration.

The synod taking into consideration the most inestimable benefits, which this church enjoyeth under the peaceable and blessed government of our dread sovereign lord king Charles; and finding that as well the godly christian emperors in the former times, as our own most religious princes since the reformation have caused the days of their inaugurations to be publickly celebrated by all their subjects with prayers and thanksgiving to almighty God; and that there is a particular form of prayer appointed by authority for that day and purpose; and yet withall considering how negligent some people are in observance of this day in many places of this kingdom; doth therefore decree and ordain, that all manner of persons within the church of England, shall from henceforth celebrate and keep the morning of the said day in coming diligently and reverently unto their parish church or chapel, at the time of prayer, and there continuing all the while, that the prayers, preaching, or other service of the day endureth: in testimony of their humble gratitude to God for so great a blessing, and dutiful affections to so benign and merciful a sovereign. And for the better execution of this our ordinance, the holy synod doth straitly require and charge, and by authority hereof enableth all archbishops, bishops, deans, deans and chapters, archdeacons, and other ecclesiastical persons, having exempt or peculiar jurisdiction; as also all chancellors, commissaries, and officials in the church of England, that they enquire into the keeping of the same in their visitations, and punish such as they shall find to be delinquent, according as by law they are to censure, and punish those who wilfully absent themselves from church on holydays. And that the said day may be the better observed, we do enjoin, that all churchwardens shall provide, at the parishcharge, two of those books at least, appointed for that day; and if there be any want of the said book in any parish, they shall present the same at all visitations respectively.

III. For the suppressing the growth of popery.

All and every ecclesiastical persons, of what rank or condition soever, archbishops, and bishops, deans, archdeacons, all having exempt or peculiar jurisdiction, with their several chancellors, commissaries, and officials, all persons intrusted with cure of souls, shall use respectively all possible care and diligence by conferring privately with the parties, and by censures of the church in inferiour and higher courts, as also by complaints unto the secular power, to reduce all such to the church of England, who are misled into popish superstition.

And first, these private conferences shall be performed in each several diocese either by the bishop in person, if his occasion will permit it,

or by some one or more learned ministers at his special appointment, and the said bishop shall also design the time and place of the said several conferences, and all such persons as shall be present thereat; which if recusants refuse to observe, they shall be taken for obstinate, and so certified to the bishop. And if the said time and place be not observed by the minister or ministers so appointed, they shall be suspended by their ordinary for the space of six months, without a very reasonable cause alleged to the contrary. Provided that they be not sent above ten miles from their dwelling.

If the said conferences prevail not, the church must and shall come to her censures; and to make way for them, the said ecclesiastical persons shall carefully inform themselves in the places belonging to their several charges, of all recusants above the age of twelve years, both of such as come not at all to church, as also of those who coming sometimes thither, do yet refuse to receive the holy eucharist with us, as likewise of all those who shall either say or hear mass: and they shall in a more especial manner enquire out all those who are either dangerously active to seduce any persons from the communion of the church of England, or seditiously busy to dissuade his majesty's subjects from taking the oath of allegiance, together with all them who abused by their sophistry, refuse to take the said oath.

And we straitly command all parsons, vicars, and curates, that they carefully and severally present at all visitations the names and surnames of the delinquents of these several kinds in their own parishes, under pain of suspension for six months.

And likewise we straitly enjoin all churchwardens, and the like sworn officers whatsoever, that by virtue of their oaths they shall present at the said visitations the names of such persons, whom they know or hear of, or justly suspect to be delinquent in all or any of these particulars, and that under the pains of the highest censures of the church, that so these delinquents may be legally cited; and being found obstinate, they shall be excommunicated and such excommunication shall be pronounced both in the cathedral church of the diocese, and in the several parishes where such recusants live; and every third month they shall be again publickly repeated in the places aforesaid, that all may take notice of those sentences.

And because there are places, which either have or pretend to have exemptions, in which such delinquents do usually affect to make their abode; therefore we enjoin, that all bishops shall within their several dioceses send unto such places one or more of their chaplains, or some of their officers, whom they may rely on, to make strict enquiry after offenders in those kinds; who diligently returning their information accordingly, the said bishop shall certify such informations to his metropolitan, that the aforesaid proceedings may forthwith issue from some higher courts in these cases, whereof by reason

reason of the said exemptions, the inferiour courts can take no cognizance.

But if neither conferring nor censures will prevail with such persons, the church hath no way left but complaints to the secular power; and for them we straitly enjoin, that all deans, and archdeacons, and all having inferiour or exempt jurisdiction, shall every year within six months after any visitations by them holden, make certificate unto their severall bishops, or archbishop (if it be within his diocese) under their seal of office of all such persons who have been presented unto them as aforesaid, under pain of suspension from their said jurisdictions by the space of one whole year.

And we in like manner enjoin all archbishops and bishops, that once every year at the least they certifie under their episcopal seal in parchment unto the justices of assize of every county in the circuits, and within their dioceses respectively, the names and surnames not only of those, who have been presented unto them from the said deans, archdeacons, etc. but of those also, who upon the oaths of churchwardens and other sworn men at their visitations, or upon the information of ministers employed in the said conferences, have been presented unto them, that so the said intended proceedings may have the more speedy and the more general success.

In particular, it shall be carefully enquired into at all visitations under the oaths of the churchwardens and other sworn men, what recusants or popish persons have been either married or buried, or have had their children baptized otherwise than according to the rules and forms established in the church of England; and the names of such delinquents (if they can learn them, or otherwise such names as for the time they carry) shall be as aforesaid given up to the bishop, who shall present them to the justices of assize, to be punished according to the statutes.

And for the education of recusants children, since by canon already established, no man can teach school (no not in any private house) except he be allowed by the ordinary of the place, and withal have subscribed to the articles of religion established in the church of England; we therefore straitly enjoin, that forthwith at all visitations there be diligent enquiry made by the churchwardens or other sworn ecclesiastical officers of each parish, under their oaths, who are employed as schoolmasters, to the children of recusants; and that their severall names be presented to the bishop of the diocese, who citing the said schoolmasters shall make diligent search whether they have subscribed or no; and if they or any of them be found to refuse subscription, they shall be forbidden to teach hereafter, and censured for their former presumption; and withal the names of him or them that entertain such a schoolmaster, shall be certified to the bishop of the diocese, who shall at the next assize present them to the judges, to be proceeded against according to the statutes. And if they subscribe, enquiry shall be made what care they take for the instruction of the

said children in the catechism established in the book of Common Prayer. And all ordinaries shall censure those whom they find negligent in the said instruction; and if it shall appear that the parents of the said children do forbid such schoolmasters to bring them up in the doctrine of the church of England, they shall notwithstanding do their duty; and if thereupon the said parents shall take away their children, the said schoolmasters shall forthwith give up their names unto the bishop of the diocese, who shall take care to return them to the justices of assize in manner and form aforesaid. And because some may cunningly elude this decree, by sending their children to be bred beyond the seas, therefore we ordain, that the churchwardens and other sworn ecclesiastical officers shall likewise make careful enquiry, and give in upon their oaths at all visitations the names of such recusants children who are so sent beyond the seas to be bred there, or whom they probably suspect to be so sent; which names as aforesaid shall be given up to the bishop, and from him returned to the judges as aforesaid, that their parents, who so send them, may be punished according to law: provided always that this canon shall not take away or derogate from any power or authority already given or established by any other canon now in force.

And all the said complaints or certificates shall be presented up to the judges in their severall circuits by the bishop's register, or some other of his deputies immediately after the publishing of his majesties commission, or at the end of the charge, which shall be then given by the judge. And this upon pain of suspension for three months.

This sacred synod doth earnestly intreat the reverend justices of assize, to be careful in the execution of the said laws committed to their trust, as they will answer to God for the daily encrease of this gross kind of superstition. And further, we do also exhort all judges, whether ecclesiastical or temporal, upon the like account, that they would not admit in any of their courts any vexatious complaint, suit, or suits, or presentments against any minister, churchwardens, questmen, fidemen, or other church officers for the making of any such presentments.

And lastly, we enjoin that every bishop shall once in every year send into his majesties high court of Chancery a "Significavit" of the names and surnames of all such recusants, who have stood excommunicated beyond the time limited by the law, and shall desire that the writ "De excommunicato capiendo" might be at once sent out against them all "ex officio." And for the better execution of this decree, this present synod doth most humbly beseech his most sacred majesty, that the officers of the said high court of Chancery, whom it shall concern, may be commanded to send out the aforesaid writ from time to time as is desired, for that it would much exhaust the particular estates of the ordinaries, to sue out several writs at their own charge. And that the like command

command also may be laid upon the sheriffs and their deputies, for the due and faithful execution of the said writs, as often as they shall be brought unto them.

And to the end that this canon may take the better and speedier effect, and not be deluded or delayed; we further decree and ordain, that no popish recusant, who shall persist in the said sentence of excommunication beyond the time prescribed by law, shall be absolved by virtue of any appeal in any ecclesiastical court, unless the said party shall first in his or her own person, and not by a proctor, take the usual oath "De parendo juri, et stando mandatis ecclesiae."

IV. *Against Socinianism.*

Whereas much mischief is already done in the church of God by the spreading of the damnable and cursed heresy of Socinianism, as a complication of many ancient heresies condemned by the four first general councils, and contrariant to the articles of religion now established in the church of England; and whereas it is too apparent that the said wicked and blasphemous errors are unhappily dilated by the frequent divulgation and dispersion of dangerous books, written in favour and furtherance of the same, whereby many, especially of the younger or unsettled sort of people, may be poisoned and infected; it is therefore decreed by this present synod, that no stationer, printer, or importer of the said books, or any other person whatsoever shall print, buy, sell, or disperse any book broaching or maintaining of the said abominable doctrine or positions, upon pain of excommunication ipso facto to be thereupon incurred: and we require all ordinaries, upon pain of the censures of the church, that beside the excommunication aforesaid, they do certify their names and offences under their episcopal seal to the metropolitan, by him to be delivered to his majesty's Attorney general for the time being, to be proceeded withall according to the late decree in the honourable court of Star-chamber, against the spreaders of prohibited books. And that no preacher shall presume to vent any such doctrine in any sermon, under pain of excommunication for the first offence, and deprivation for the second. And that no student in either of the universities of this land, nor any person in holy orders (excepting graduates in divinity, or such as have episcopal or archidiaconal jurisdiction, or doctors of law in holy orders) shall be suffered to have or read any such Socinian book or discourse, under pain (if the offender live in the university) that he shall be punished according to the strictest statutes provided there against the publishing, reading, or maintaining of false doctrine; or if he live in the city or country abroad, of a suspension for the first offence, and excommunication for the second, and deprivation for the third, unless he will absolutely and "in terminis" abjure the same. And if any layman shall be seduced into this opinion, and be convicted of it, he shall be excommunicated,

and not absolved, but upon due repentance and abjuration, and that before the metropolitan, or his own bishop at the least. And we likewise enjoin that such books, if they be found in any prohibited hand, shall be immediately burned: and that there be a diligent search made by the appointment of the ordinary after all such books, in what hands soever, except they be now in the hands of any graduate in divinity, and such as have episcopal or archidiaconal jurisdiction, or any doctor of laws in holy orders as aforesaid; and that all who now have them, except before excepted, be strictly commanded to bring in the said books in the universities to the vicechancellors, and out of the universities to the bishops, who shall return them to such whom they dare trust with the reading of the said books, and shall cause the rest to be burned. And we farther enjoin, that diligent enquiry be made after all such as shall maintain and defend the aforesaid Socinianism; and when any such shall be detected, that they be complained of to the several bishops respectively, who are required by this synod to repress them from any such propagation of the aforesaid wicked and detestable opinions.

V. *Against sectaries.*

Whereas there is a provision now made by a canon for the suppressing of popery, and the growth thereof, by subjecting all popish recusants to the greatest severity of ecclesiastical censures in that behalf; this present synod well knowing, that there are other sects which endeavour the subversion both of the doctrine and discipline of the church of England no less than papists do, although by another way; for the preventing thereof, doth hereby decree and ordain, that all those proceedings and penalties which are mentioned in the aforesaid canon against popish recusants as far as they shall be applicable, shall stand in full force against all Anabaptists, Brownists, Separatists, Familists, or other sect or sects, person or persons whatsoever, who do or shall either obstinately refuse, or ordinarily, not having a lawful impediment (that is, for the space of a month) neglect to repair to their parish churches or chapels where they inhabit for the hearing of divine service established, and receiving of the holy communion according to law.

And we do also further decree and ordain, that the clause contained in the canon now made by this synod against the books of Socinianism, shall also extend to the makers, importers, printers, and publishers, or dispersers of any book, writing, or scandalous pamphlet devised against the discipline and government of the church of England, and unto the maintainers and abettors of any opinion or doctrine against the same.

And further, because there are sprung up among us a sort of factious people, despisers and depravers of the book of Common Prayer, who do not according to the law resort to their parish church or chapel to joyn in public prayers,

prayers, service, and worship of God with the congregation, contenting themselves with the hearing of sermons only, thinking thereby to avoid the penalties due to such as wholly absent themselves from the church. We therefore for the restraint of all such wilful contemners or neglecters of the service of God, do ordain, that the church- or chapelwardens, and questmen, or sidemen of every parish, shall be careful to enquire out all such disaffected persons, and shall present the names of all such delinquents at all visitations of bishops and other ordinaries; and that the same proceedings and penalties mentioned in the canon aforesaid respectively, shall be used against them as against other recusants, unless within one whole month after they are first denounced, they shall make acknowledgment and reformation of that their fault. Provided always, that this canon shall not derogate from any other canon, law or statute in that behalf provided against those sectaries.

VI. *An oath enjoyn'd for the preventing of all innovations in doctrine and government.*

This present synod (being desirous to declare their sincerity and constancy in the profession of the doctrine and discipline already established in the church of England, and to secure all men against any suspicion of revolt to popery, or any other superstition) decrees, that all archbishops, and bishops, and all other priests, and deacons in places exempt or not exempt, shall before the second day of November next ensuing, take this oath following against all innovation of doctrine or discipline, and this oath shall be tendred them and every of them, and all others named after in this canon, by the bishop in person, or his chancellor, or some grave divines named and appointed by the bishop under the seal; and the said oath shall be taken in the presence of a public notary, who is hereby required to make an act of it, leaving the universities to the provision which follows:

The oath is,

I A. B. do swear that I do approve the doctrine, and discipline, or government established in the church of England, as containing all things necessary to salvation: and that I will not endeavour by my self or any other, directly or indirectly to bring in any popish doctrine, contrary to that which is so established: nor will I ever give my consent to alter the government of this church by archbishops, bishops, deans, and archdeacons, etc. as it stands now established, and as by right it ought to stand, nor yet ever to subject it to the usurpations and superstitions of the see of Rome. And all these things I do plainly and sincerely acknowledge and swear, according to the plain and common sense and understanding of the same words, without any equivocation, or mental evasion, or secret reservation whatsoever. And this I do heartily, willingly, and truly, upon the faith of a christian. So help me God in Jesus Christ.

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And if any man beneficed or dignified in the church of England, or any other ecclesiastical person shall refuse to take this oath, the bishop shall give him a month's time to inform himself; and at the month's end if he refuse to take it, he shall be suspended "ab officio," and have a second month granted: and if then he refuse to take it, he shall be suspended "ab officio et beneficio," and have a third month granted him for his better information; but if at the end of that month he refuse to take the oath above-named, he shall by the bishop be deprived of all his ecclesiastical promotions whatsoever, and execution of his function which he holds in the in the church of England.

We likewise constitute and ordain, that all masters of arts, (the sons of noblemen only excepted) all batchelors and doctors in divinity, law or physick, all that are licensed to practice physick, all registers, actuaries and proctors, all schoolmasters, all such as being natives or naturalized, do come to be incorporated into the universities here, having taken a degree in any foreign university, shall be bound to take the said oath. And we command all governors of colleges and halls in either of the universities, that they administer the said oath to all persons resident in their several houses that have taken the degrees beforementioned in this canon, within six months after the publication hereof.

And we likewise constitute, that all bishops shall be bound to give the said oath unto all those to whom they give holy orders at the time of their ordination, or to whomsoever they give collation, institution, or licence to preach or serve any cure.

VII. *A declaration concerning some rites and ceremonies.*

Because it is generally to be wished, that unity of faith were accompanied with uniformity of practice in the outward worship and service of God; chiefly for the avoiding of groundless suspicions of those who are weak, and the malicious aspersions of the professed enemies of our religion; the one fearing the innovations, the other flattering themselves with the vain hope of our backslidings unto their popish superstition, by reason of the situation of the communion table, and the approaches thereunto, the synod declareth as followeth:

That the standing of the communion table sideways under the east window of every chancel or chapel, is in its own nature indifferent, neither commanded nor condemned by the word of God, either expressly or by immediate deduction, and therefore that no religion is to be placed therein, or scruple to be made thereon. And albeit at the time of reforming this church from that gross superstition of popery, it was carefully provided that all means should be used to root out of the minds of the people, both the inclination thereunto, and memory thereof; especially of the idolatry committed in the mass, for which cause all popish altars were demolished: yet notwithstanding it was then ordered by the injunctions and advertisements

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of queen Elizabeth of blessed memory, that the holy tables should stand in the place where the altars stood, and accordingly have been continued in the royal chapels of three famous and pious princes, and in most cathedral and some parochial churches, which doth sufficiently acquit the manner of placing the said tables from any illegality, or just suspicion of popish superstition or innovation. And therefore we judge it fit and convenient that all churches and chapels do conform themselves in this particular to the example of the cathedral or mother churches, saving always the general liberty left to the bishop by law, during the time of administration of the holy communion. And we declare that this situation of the holy table, doth not imply that it is, or ought to be esteemed a true and proper altar, whereon Christ is again really sacrificed: but it is and may be called an altar by us, in that sense in which the primitive church called it an altar, and in no other.

And because experience hath shewed us how irreverent the behaviour of many people is in many places, some leaning, others casting their hats, and some sitting upon, some standing, and others sitting under the communion table in time of divine service: for the avoiding of these and the like abuses, it is thought meet and convenient by this present synod, that the said communion tables in all chancels or chapels be decently severed with rails, to preserve them from such or worse profanations.

And because the administration of holy things is to be performed with all possible decency and reverence, therefore we judge it fit and convenient, according to the word of the service book established by act of parliament "Draw near," etc. that all communicants with all humble reverence shall draw near and approach to the holy table, there to receive the divine mysteries, which have heretofore in some places been unfitly carried up and down by the minister, unless it shall be otherwise appointed in respect of the incapacity of the place, or other inconvenience, by the bishop himself in his jurisdiction, and other ordinaries respectively in theirs.

And lastly, whereas the church is the house of God, dedicated to his holy worship, and therefore ought to mind us both of the greatness and goodness of his divine majesty; certain it is that the acknowledgment thereof, not only inwardly in our hearts, but also outwardly with our bodies, must needs be pious in it self, profitable unto us, and edifying unto others. We therefore think it very meet and behoveful, and heartily commend it to all good and well affected people, members of this church, that they be ready to tender unto the Lord the said acknowledgement, by doing reverence and obedience, both at their coming in and going out of the said churches, chancels, or chapels, according to the most ancient custom of the primitive church in the purest times, and of this church also for many years of the reign of queen Elizabeth. The reviving therefore of this ancient and laudable custom we heartily com-

mend to the serious consideration of all good people, not with any intention to exhibit any religious worship to the communion table, the east, or church, or any thing therein contained in so doing, or to perform the said gesture in the celebration of the holy eucharist, upon any opinion of a corporal presence of the body of Jesus Christ on the holy table, or in mystical elements, but only for the advancement of God's majesty, and to give him alone that honour and glory that is due unto him, and no otherwise; and in the practice or omission of this rite, we desire that the rule of charity prescribed by the apostle may be observed, which is, that they which use this rite, despise not them who use it not; and that they who use it not, condemn not those that use it.

VIII. *Of preaching for conformity.*

Whereas the preaching of order and decency according to St. Paul's rule, doth conduce to edification; it is required that all preachers (as well beneficed men as others) shall positively and plainly preach and instruct the people in their public sermons twice in the year at least, that the rites and ceremonies now established in the church of England, are lawful and commendable; and that they the said people and others ought to conform themselves in their practice to all the said rites and ceremonies; and that the people and others ought willingly to submit themselves unto the authority and government of the church, as it is now established under the king's majesty. And if any preacher shall refuse or neglect to do according to this canon, let him be suspended by his ordinary during the time of his refusal, or wilful forbearance to do thereafter.

IX. *One book of articles of enquiry to be used at all parochial visitations.*

For the better settling of an uniformity in the outward government and administration of the church, and for the more preventing of just grievances which may be laid upon churchwardens and other sworn men by any impertinent, inconvenient, or illegal enquiries in the articles for ecclesiastical visitations: this synod hath now caused a summary or collection of visitatory articles (out of the rubrics of the service book, and the canons and warrantable rules of the church) to be made, and for future direction to be deposited in the records of the archbishop of Canterbury: and we do decree and ordain, that from henceforth no bishop or other person whatsoever having right to hold, use, or exercise any parochial visitation (shall under the pain of a month's suspension upon a bishop, and two months upon any other ordinary that is delinquent, and this to be incurred "ipso facto" cause to be printed, or published, or otherwise to be given in charge to the churchwardens, or to any other persons which shall be sworn to make presentments, any other articles or forms of enquiry upon oath, than such only as shall be approved and "in terminis," allowed unto him (upon due request made)

made) by his metropolitan under his seal of office.

Provided always, that after the end of three years next following the date of these presents, the metropolitan shall not either at the instance of those which have right to hold parochial visitations, or upon any other occasion, make any addition or diminution from that allowance to any bishop of visitatory articles, which he did last before (in any diocese within this province) approve of, but calling for the same, shall hold and give that only for a perpetual rule, and then every parish shall be bound only to take the said book from the archdeacons and other having a peculiar or exempt jurisdiction, but once from that time, in three years, in case they do make it appear, they have the said book remaining in their public chest for the use of the parish: and from every bishop they shall receive the said articles at the episcopal visitation only, and in manner and form as formerly they have been accustomed to do, and at no greater price than what hath been usually paid in the said diocese respectively.

X. Concerning the conversation of the clergy.

The sober, grave and exemplary conversation of all those that are employed in administration of holy things, being of great avail for the furtherance of piety; it hath been the religious care of the church of England, strictly to enjoin to all and every one of her clergy, a pious, regular, and inoffensive demeanour, and to prohibit all loose and scandalous carriage by severe censures to be inflicted upon such delinquents, as appears by the LXXIV. and LXXV. canons, anno M.DC.III. provided to this purpose.

For the more effectual success of which pious and necessary care this present synod straitly charges all clergymen in this church, that setting before their eyes the glory of God, the holiness of their calling, and the edification of the people committed to them, they carefully avoid all excess and disorder, and that by their christian and religious conversation they shine forth as lights unto others in all godliness and honesty.

And we also require all those, to whom the the government of the clergy of this church is committed, that they set themselves to countenance and encourage godliness, gravity, sobriety and all unblameable conversation in the ministers of this church, and that according to the power with which they are intrusted, they diligently labour by the due execution of the abovenamed canons, and all other ecclesiastical provisions made for this end, to reform all offensive and scandalous persons, if any be in the ministry, as they tender the welfare and prospering of piety and religion, and as they will answer to God for those scandals, which through their remissness and neglect shall arise and grow in this church of Christ.

XI. Chancellors patents.

For the better remedying and redress of such abuses as are complained of in the ecclesiasti-

cal courts, the synod doth decree and ordain, that hereafter no bishop shall grant any patent to any chancellor, commissary, or official, for any longer term than the life of the grantee only, nor otherwise than with express reservation to himself and his successors, of the power to execute the said place, either alone, or with the chancellor, if the bishop shall please to do the same, saving always to the said chancellors, etc. the fees accustomedly taken for executing the said jurisdiction. And that in all such patents, the bishop shall keep in his own hands the power of institution unto benefices, as also of giving licences to preach or keep school. And further, that no dean and chapter confirm any patent of any chancellor, commissaries, or officials place, wherein the said conditions are not expressed "sub poena suspensionis," to the dean (or his "locum tenens" if he pass the act in his absence) and to every canon or prebendary, voting to the confirmation of the said act, to be inflicted by the archbishop of the province. And further, the holy synod doth decree and ordain, that no reward shall be taken for any chancellors, commissaries or officials place under the heaviest censures of the church.

XII. Chancellors alone, not to censure any of the clergy in sundry cases.

That no chancellor, commissary, or official, unless he be in holy orders, shall proceed to suspension, or any higher censure against any of the clergy in any criminal cause, other than neglect of appearance, upon legal citing; but that all such causes shall be heard by the bishop in person, or with the assistance of his chancellor, or commissary; or if the bishop's occasions will not permit, then by his chancellor or commissary, and two grave dignified or beneficed ministers of the diocese to be assigned by the bishop, under his episcopal seal, who shall hear and censure the said cause in the consistory.

XIII. Excommunication and absolution not to be pronounced but by a priest.

That no excommunications or absolutions shall be good or valid in law, except they be pronounced either by the bishop in person, or by some other in holy orders, having ecclesiastical jurisdiction, or by some grave minister beneficed in the diocese, being a master of arts at least, and appointed by the bishop, and the priest's name pronouncing such sentence of excommunication or absolution to be expressed in the instrument issuing under seal out of the court. And that no such minister shall pronounce any sentence of absolution but in open consistory, or at the least in a church or chapel, the penitent humbly craving and taking absolution upon his knees, and having first taken the oath, "de parendo juri et stando mandatis ecclesiae." And that no parson, vicar, or curate, "sub poena suspensionis," shall declare any of his or their parishioners to be excommunicate, or shall admit any of them so excommunicate

municate into the church, and there to declare them to be absolved, except they first receive such excommunications and absolutions under the seal of the ecclesiastical judge, from whom it cometh.

XIV. Concerning commutations, and the disposing of them.

That no chancellor, commissary or official, shall have power to commute any penance in whole, or in part; but either together with the bishop in person, or with his privity in writing, or if by himself, there he shall give up a full and just account of all such commutations once every year at Michaelmas, to the bishop, who shall, with his chancellor, see that all such moneys be disposed of, to charitable and public uses, according to law. And if any chancellor or other having jurisdiction as aforesaid, shall not make such a just account to the bishop, and be found guilty of it, he shall be suspended from all exercise of his jurisdiction for the space of one whole year.

Always provided, that if the crime be publicly complained of, and do appear notorious, that then the office shall signify to the place, from whence the complaint came, that the delinquent hath satisfied the church for his offence. And the minister shall signify it as he shall be directed; saving always to all chancellors, and other ecclesiastical officers, their due and accustomed fees, if he or they be not so suspended as aforesaid.

XV. Touching concurrent jurisdiction.

That in such places wherein there is concurrent jurisdiction, no executor be cited into any court or office, for the space of ten days after the death of the testator. And that as well every apparitor herein, as every register or clerk that giveth or carrieth out any citation or process to such intent, before that the said ten days be expired, shall for the first offence herein, be suspended from the execution of his office for the space of three months; and for the second offence in this kind, be and stand excommunicated, "ipso facto," not to be restored but by the metropolitan of the province, or his lawful surrogate; and that yet nevertheless, it be lawful for any executor to prove such wills when they think good, within the said ten days, before any ecclesiastical judge respectively, to whose jurisdiction the same may or doth appertain.

XVI. Concerning licences to marry.

Whereas divers licences to marry are granted by ordinaries, in whose jurisdiction neither of the parties desiring such licence, is resident, to the prejudice of the archiepiscopal prerogative, to whom only the power of granting such licences to parties of any jurisdiction, "per totam provinciam," by law belongeth; and for other great inconveniences thereupon ensuing: it is therefore decreed, that no licence of marriage shall be granted by any ordinary to any parties, unless one of the said parties

have been commorant in the jurisdiction of the said ordinary, for the space of one whole month immediately before the said licence be desired. And if any ordinary shall offend herein, and be sufficiently evinced thereof, in any of the lord archbishop's courts, he shall be liable to such censure as the lord archbishop shall think fit to inflict. And we farther decree, that one of the conditions in the bond of security given by the parties taking such licence, shall be, that the said parties, or one of them, have, or hath been a month commorant in the said jurisdiction, immediately before the said licence granted.

And the synod decrees, that whatsoever is ordered in these six last canons, concerning the jurisdiction of bishops, their chancellors and commissaries, shall (so far as by law is applicable) be in force concerning all deans, deans and chapters, collegiate churches, archdeacons, and all in holy orders, having exempt or peculiar jurisdiction, and their several officers respectively.

XVII. Against vexatious citations.

And that this synod may prevent all grievances, which may fall upon the people by citations into ecclesiastical courts upon pretence only of the breach of law, without either presentment, or any other just ground: this present synod decrees, that for all times to come no such citation, grounded only as aforesaid, shall issue out of any ecclesiastical court, except the said citation be sent forth under the hand and seal of the chancellor, commissary, archdeacon, or other competent judge of the said court, within thirty days after the fault committed; and return thereof to be made the next or second court day after the citation served, at the farthest: and that the party so cited, unless he be convinced by two witnesses, shall upon the denial of the fact upon oath be forthwith freely dismissed without any payment of fees: provided that this decree extend not to any grievous crime, as schism, incontinency, misbehaviour in the church in time of divine service, obstinate inconformity, or the like.

We, of our princely inclination and royal care for the maintenance of the present estate and government of the church of England, by the laws of this our realm now settled and established, having diligently, with great contentment and comfort read and considered of all these their said canons, orders, ordinances and constitutions agreed upon, as is before expressed: and finding the same such as we are persuaded will be very profitable, not only to our clergy, but to the whole church of this our kingdom, and to all the true members of it, if they will be observed, have therefore for us, our heirs and lawful successors, of our special grace, certain knowledge, and meer motion given, and by these presents do give our royal assent, according to the form of the said statute or act of parliament aforesaid, to all and every the said canons, orders, ordinances

nances and constitutions, and to all and every thing in them contained, as they are before written. And furthermore, we do not only by our said prerogative royal, and supreme authority in causes ecclesiastical, ratifie, confirm and establish by these our letters patents the said canons, orders, ordinances, and constitutions, and all and every thing in them contained, as is aforesaid, but do likewise propound, publish, and straitly enjoin and command by our said authority, and by these our letters patents the same to be diligently observed, executed, and equally kept by all our loving subjects of this our kingdom, both within the provinces of Canterbury and York, in all points wherein they do or may concern every or any of them, according to this our will and pleasure hereby signified and expressed. And that likewise for the better observation of them, every minister, by what name or title soever he be called, shall in the parish church or chapel where he hath charge, read all the said canons, orders, ordi-

nances, and constitutions at all such times, and in such manner as is prescribed in the said canons, or any of them: the book of the said canons to be provided at the charge of the parish, betwixt this and the feast of St. Michael the archangel next ensuing, straitly charging and commanding all archbishops, bishops, and all other that exercise any ecclesiastical jurisdiction within this realm, every man in his place to see and procure (as much as in them lieth) all and every of the same canons, orders, ordinances, and constitutions to be in all points duly observed, not sparing to execute the penalties in them severally mentioned, upon any that shall wittingly or wilfully break or neglect to observe the same; as they tender the honour of God, the peace of the church, the tranquillity of the kingdom, and their duties and service to us their king and sovereign. In witness whereof, we have caused these our letters to be made patents. Witness our self at Westminster the thirtieth day of June, in the sixteenth year of our reign.

Archiepisc. Cant.
GUIL. LAUD 8.

Anno Christi
1640.

Reg. Angliae
CAROL. I. 16.

Concilium provinciale Eboracense.

CONCILIUM hoc virtute brevis regii dat. apud Westm. 20. die Februarii, anno regni xv. in ecclesia metropolitana B. Petri Ebor. celebratum fuit die 14. mensis Aprilis. Quo die post lectionem brevis regii, praeconizationem praelatorum et cleri, ac post receptionem substitutionum procuratorum, ad 29. diem Aprilis, et ab eo die in 5. diem Maii continuabatur. Illo die literae regiae patentes receptae, lectae, ac in tabulas publicas relatae fuerunt, ejusdem cum illis sub rege Jacobo I. tenoris, potestatem concilio provinciali concedentes, canones exponendi, mutandi, ac novos conficiendi. Sequenti 29. die ejusdem mensis Maii aliae literae regiae patentes reverendissimo et toti synodo tradebantur, cum hac diversitate a praecedentibus, viz. in prioribus literis patentibus dicitur, "shall and may from time to time during this present parliament propose, confer, treat, debate" etc. In secundis "shall and may from time to time during our will and pleasure propose, confer, treat" etc. Occasio hujus diversitatis fuit, quod parliamentum ante has secundas literas fuerat dissolutum.

Quinto die mensis Junii in synodo provinciali

comparentes, unanimiter nominarunt Henricum Wickham, S. T. P. archidiaconum Ebor. in prolocutorem hujusmodi convocationis five synodi, eumque reverendissimo patri praefidi praesentarunt, qui eandem nominationem et praesentationem acceptavit et admisit. His ita gestis, et habito tractatu inter praesidem et comparentes de rebus et materiis in ea synodo tractandis et concludendis, prolocutor quosdam canones et constitutiones ecclesiasticas in numero septendecim perlegit, ac praeses deinde prorogavit et continuavit convocationem in 8. diem Junii. Illo die subsidium benevolentiae domino regi conceditur, cujus collectionis forma ac modus in ordinationibus synodalibus in forma communi exprimitur. Quae cum ejusdem sint tenoris cum illis 29. anno regni reginae Elizabethae concessis et confectis, hic repetere superfluum est. Sequenti 26. die mensis Junii clero provinciae Ebor. taxatio imponitur pro sumptibus procuratorum, actuariorum, et apparitorum synodo ministrantium solvendis. Tandem vigore brevis regii dati apud Westm. 26. Junii, anno regni xvi. concilium hoc provinciale dissolvebatur.

Archiepisc. Cant.
GUIL. LAUD 9.

Anno Christi
1641.

Reg. Angliae
CAROL. I. 17.

The bishops protestation against the tumults in parliament. Hacket's life of archb. Williams, part II. fol. 178, 179.

To the king's most excellent majesty, and the lords and peers now assembled in Parliament.

The humble petition and protestation of all the bishops and prelates now called by his majesty's writs to attend the parliament,
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and now present about London and Westminster, for that service.

THAT whereas the petitioners are called up by several and respective writs, and under great penalties to attend in parliament, and have a clear and indubitate right to vote in
7 B bill.

bills, and other matters whatsoever debateable in parliament, by the ancient customs, laws, and statutes of this realm, and ought to be protected by your majesty quietly to attend and prosecute that great service; they humbly remonstrate, and protest before God, your majesty, and the noble lords and peers, now assembled in parliament, that as they have an indubitate right to sit and vote in the house of lords, so are they, if they may be protected from force and violence, most ready and willing to perform their duties accordingly; and that they do abominate all actions or opinions tending to popery, and the maintenance thereof; as also all propension and inclination to any malignant party, or any other side or party whatsoever, to the which their own reasons and consciences shall not move them to adhere. But whereas they have been at several times violently menaced, affronted, and assaulted by multitudes of people, in their coming to perform their services in that honourable house, and lately chased away, and put in danger of their lives, and can find no redress or protection, upon fundry complaints made to both houses in these particulars; they likewise humbly protest before your majesty, and the noble house of peers, that saving unto themselves all their rights and interests of sitting and voting in the house at other times, they dare not sit or vote in the house of peers, until your majesty shall further secure them from all affronts, indignities, and dangers

in the premises. Lastly, whereas their fears are not built upon fantasies and conceits, but upon such grounds and objects, as may well terrify men of good resolutions, and much constancy; they do in all duty and humility, protest before your majesty, and the peers of that most honourable house of parliament, against all laws, orders, votes, resolutions, and determinations, as in themselves, null, and of none effect, which in their absence, since the 27th of this instant month of December M.DC.XLI. have already passed; as likewise against all such as shall hereafter pass in that most honourable house, during the time of this their forced and violent absence from the said most honourable house; not denying, but if their absenting themselves were wilful and voluntary, that most honourable house might proceed in all the premises; their absence, or this protestation notwithstanding. And humbly beseeching your most excellent majesty to command the clerk of the house of peers to enter this petition and protestation among the records.

They will ever pray to God to bless and preserve etc.

Joh. Eboracen.	Geo. Hereford.
Tho. Duresme.	Rob. Oxon.
Ro. Co. et Lich.	Mat. Ely.
Jos. Norwich.	Godfry, Glouc.
Jo. Asaph.	Jo. Petriburg.
Gul. Bath. et Wellen.	Morg. Landaff.

Archiepisc. Cant.
GUIL. LAUD 12.

Anno Christi
1644.

Reg. Angliae
CAROL. I. 20.

The humble petition of the archbishop, bishops, and the rest of the clergy in the kingdom of Ireland. Collect. Epistol. a clar. Carte edit. p. 365. seqq.

To the king's most excellent majesty,

SUCH is, and always hath been, your majesty's princely and unparalleled care of the church in that your majesty's kingdom, that without any petition of ours, more is already performed, than could be expected, in a time so full of distractions; not only in protecting it against foreign jurisdiction, and domestic schism, but likewise in committing the government of that whole kingdom to a person of the nobility, vigilancy, integrity, and unquestionable affection to your petitioners, that (if not prevented) they had been compelled to petition your majesty for so great a blessing. All which we most thankfully acknowledge, and with that cheerfulness, as much abateth the sense of our own most sad condition and present misery. So that your majesty may now justly seem to have anticipated all that can be desired, saving your majesty's continuance long to maintain the doctrine, worship, and government already by law established, and by your incomparable wisdom and piety at this time more especially preserved. Yet because the clergy there in so general a combustion must needs be liable to many emergent calamities and pressures, which can neither be known to your majesty, nor made now known by us;

we therefore most humbly supplicate,

I. That your majesty would be graciously pleased effectually to recommend your distressed petitioners and church, as well in general as following particulars, to the lord lieutenant of that your majesty's kingdom; not that we doubt his good affection, distrust his zeal, or that he hath omitted any thing which the present distractions could permit; but that this your majesty's recommendation including your royal approbation, meeting with his lordship's own desires and endeavours, may add to his encouragement, though not to his performances, when it shall please God to make the times more peaceable.

II. That your majesty would be pleased to give order for the continuance of that protection and assistance at council board, which that church hath enjoyed under your majesty's blessed father and queen Elizabeth; so that neither arbitrary orders of parliament, nor popish jurors may have it in their power to disinherit the church, or undo that which authority and consent of parties have settled on us, or vindicated, or preserved unto us.

III. In respect your petitioners have lost all their means, rents, and personal estates, during the late commotions, and yet are chargeable with great sums of money for subsidies due to your majesty,

majesty, which they are altogether unable to pay; your majesty would be pleased to give power to your ministers there, to whom it appertaineth, to make such installment or abatement of these subsidies, as may stand with your majesty's goodness and their inabilities; and the rather because your petitioners enjoy their estates but for term of life; and their burthen in subsidies as far greater in proportion, than the laity's is.

IV. That it may be referred by your majesty to the council board, to give unto your petitioners such large and convenient time, as to their lordships shall seem fitting and reasonable, for reparation of many houses and chancels demolished or impaired by the late wars. And that their executors may not be charged with the whole dilapidation, now happening without the fault of the incumbent, but only for a proportionable part of those reparations, according to the time allotted by the lords of the council for rebuilding the same.

V. That your majesty would take no advantage of lapse (except what is taken already) against any archbishop or bishop, or other your petitioners, having right of collation or presentation, since the 23. day of October, M.DC.XLI. until six months after the proclamation of peace in that kingdom, but that they may still collate, or present to such benefices as are now void, and of their patronage.

VI. Forasmuch as the church hath no other censure to inflict upon contumacious refusers,

to appear in ecclesiastical courts, or to abide the sentences there given; but only excommunication, and that as well in causes, which concern interest, as spiritual offences; by occasion whereof many persons, rather considering the smallness of the matters of the suit, than the heinousness of the offence of contumacy, take scandal to see the severest censure inflicted upon such occasion; it would therefore please your majesty to recommend it to the lord lieutenant and council; to advise some other process to be settled according to law, to compel the appearance, or punish the contumacy of such as shall be cited to appear in the ecclesiastical court; after the manner used either in the courts of common law, or of equity in the said kingdom. The execution thereof to be left unto officers to be appointed by your majesty for that purpose.

VII. That the ministers of Dublin, Drogheda, and other incorporate towns, having no predial tithes, but only stipends charged upon the several houses within their parishes, proportionable to their rents, may still levy and take up their respective stipends, whether by distress or otherwise, as they were formerly accustomed. If any resist, their punishment to be referred to the council board; and if through waste made in any other parishes, any of them want competency of maintenance, order there to be taken at that board for their relief.

And your petitioners, as most bounden, shall ever pray, etc.

Sede Cant.
vacante.

Anno Christi
1646.

Reg. Angliæ
CAROL. I. 22.

The humble remonstrance of the archbishops, bishops, and the inferior clergy of the kingdom of Ireland. Collect. Epist. a clar. Carte edit. p. 493. seqq.

To the most honourable the lord lieutenant, his excellence.

May it please your excellence,

WHE the archbishops, bishops, and the rest of the clergy of this kingdom subscribing, are wonderfully sensible how your excellence out of zeal to God's glory and to the true protestant religion, and out of loyalty to his majesty, hath in this great distemper with much hazard, singular wisdom, and vigilant care preserved not only in this city, but also in all the out garrisons the free and full exercise of the true reformed religion according to the liturgy and canons so many years received in the church, which with sad and bleeding hearts we may say, is more than we know to be in any part of the three dominions.

Also we do most heartily acknowledge, that by your very great pains and labour you have at last concluded a most necessary peace, which we humbly conceive to be the only means to continue those blessings of religion and loyalty among us, and to be the only hopeful way to reduce this kingdom wholly to his majesty's obedience.

And withall we do ingenuously profess that

out of your piety and nobleness you have vindicated our callings and places from contempt, protected us from personal injuries, and provided a subsistence for us, without the which many of us had undoubtedly starved.

Out of a deep sense of all which, and many more favours than we are able to express, we were the most unthankful of all men, if we should not bless God for your excellence, and return to you our most humble and hearty thanks, faithfully promising to continue our fervent prayers to God, and to contribute our very best endeavours for strengthening your hands, in managing the great trust his majesty reposes in you, and in maintaining religion and the peace now established among us.

Having made this just and necessary remonstrance of our gratitude and resolutions, we do most humbly beseech your lordship to continue (as we are exceeding confident you will) your care to preserve the religion, book of service, public worship, in the decency and comeliness thereof, and the true apostolical government of the church now exercised among us, against all opposition whatsoever, and graciously to persist in your care for providing some competent maintenance for us, till we may conveniently

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ly return to our benefices; and if any of our number shall be found disaffected to the religion, book of service, public worship, government of the church, his majesty's service, or disturbers of the present peace, we do not supplicate for such, but leave them to your lordship to be proceeded with, as you shall find convenient.

Dublin castle the 11th and 13th
of August, M.DC.XLVI.

La. Dublin.
Lewis Laonen.
Hen. Dunensis.
Rob. Limerick.
Gr. Offory.
Hen. Clogher.

Jo. Tuamen.
W. Daren.
Geo. Cloyne.
Hen. Elphin.
W. Clonfert.

Ja. Margetson, dean of
Christchurch.
Benjamin Culme, dean
of St. Patrick's.
Joan. Creghton, can.
E. Parry.
Ja. Sibald.
H. Hall, preb. S. Mi-
chaelis.
Jo. Parker, preb. S. Mi-
chani.
Godfr. Rodes, thr.
Lewis Downes.
W. Bulkely, archidiac.
Dublin.
Tho. Marshal.
Rob. Parry, preb. S.

Audoeni.
Walter Reyler, chanc.
of Elphin.
Anthony Proctor, de-
can. Fernen.
Edw. Sing.
Ric. Deane.
Jos. Prior.
Samu. Haukes.
Mart. Archdall, archi-
diac. Fernen.
Rich. Price.
Ro. Browne.
Tho. Crofton.
Ric. Underwood, preb.
Fernen.
Geo. Dodywell.

Tho. Walworth.
Gilbert Dean, preb. de
Tassagard.
Nic. Walsh.
Rich. Powel, preb.
Wicklow.
Donnatus Conner.
Rob. Dixon.
W. Sugden.
Tho. Hackett.
Jo. Brookebanke.
Nathaniel Holliniston.
Jonathan White.
Nic. Meylor, can.
Edmond Eustace.
Rob. Jones.
Chr. Golborne, can.
Ric. Burgin.
Nic. Greaves, dec. Dro-
morensis.
Jos. Ware, dec. Elphin.
Tho. Johnson.
H. Echlin.
Owen Darraghe.
Walter Ogilby.
John Heath.
W. Metcalfe.
Hugh Hanna.
John Sharp.
Godfrey Daniel.
Henry Byrch.
James Meyler.
Rob. Hamilton.

Edw. Williamson.
Rich. Runlehorne.
Jo. Lindsey.
Valentine Goodhand,
preb. de Coolstus et
Killogie.
Hen. Dodwell.
Edw. Walter, preb.
Geo. Brice.
Adam Jones.
B. Cantilon.
Ric. Matthewson.
Rich. Ellis.
John Reevann, preb. of
Mayne.
Barnabas Bolger.
Edw. Slacke.
Thomas Fleming.
Walt. Frazer.
Dionisius Garth, for
the prebend. de
Loicke in dioecesi
Laonen.
Randle Foxwell.
Jeremy Flawne.
Tho. Mitchell.
Tho. Coffy.
W. Selbee.
Franc. Sympson, re-
ctor ecclesiae de Kil-
more in dioecesi Clo-
gherenfi.

Sede Cant.
vacante.

Anno Christi
1660.

Reg. Angliae
CAROL. II. 12.

The king's majesty's most gracious letter and declaration to the bishops, deans, and prebends, etc. about the augmentation of small vicarages. Collated with Wh. Kennet's Case of Improvements pag. 153.

CHARLES R.

As nothing is more in our desires, than to provide that the church of England, under our reign, might be furnished with a religious, learned, sober, modest, and prudent clergy; so we are ready to give encouragement to their labours and study in their several degrees and stations, that they may give check to all profaneness and superstition, and as zealously affect to remove all scandals, and reproach from them and their callings. Conceiving therefore a competent maintenance to be a necessary encouragement; and that all other persons, who have power to dispose of tithes, may be invited to cherish a learned and godly ministry; we do resolve, that because where tithes have been appointed for the support of bishops, deans, and chapters, collegiate churches and colleges; and other single persons; that have not taken due care to provide and ordain sufficient maintenance for the vicars of their respective places, or for the curates, where vicarages

were not endowed; to settle for the future some good addition and encrease on such vicarages and curates places. Our will therefore is, that forthwith provision be made for the augmentation of all such vicarages and cures, where your tithes and profits are appropriated to you and your successors, in such manner, that they who immediately attend upon the performance of ministerial offices in every parish, may have a competent portion of every rectory impropriate to your see [* belonging to you or your successors.] And to this end, our further will is, that no lease be granted of any rectories or parsonages belonging to your see, belonging to you or your successors, until you shall provide, that the respective vicarages, or curates places, where are no vicarages endowed, have so much revenue in glebe, tithes, or other emoluments, as will commonly amount to 100. or 80. l. per annum, or more, if it will bear it, and in good form of law settle it upon them and their successors. And where the rectories are of small value, and cannot admit of such propor-

* Defunct in Kennet.

The King's letter about the augmentation of small vicarages. 557

tions to the vicar and curate; our will is, that one half of the profit of such a rectory be reserved for the maintenance of the vicar or curate. [And if any leases or grants of such forenamed rectories have been made by you since the first day of June last past, and you did not order a competent augmentation of the vicarages and cures in their respective places, that out of the fines, which you have received, or are to receive, you do add such encrease to the vicar and curate] as is agreeable to the rate and proportion formerly mentioned. And our further will is, that you do employ your authority and power, which by law belongeth to you as ordinary, for the augmentation of vicarages and stipends of curates, and that you do with diligence proceed in due form of law for the raising and establishing convenient maintenance for those, who attend holy duties in parish churches. And if any prebendary in any church (the corps of whose prebend consists of tithes) shall not observe these our commands, then we require you, or the dean of the church to use all due means in law, where you or he hath power, to compel them; or that otherwise you report to the bishop of the diocese, where the said corps doth lie, that he may interpose his authority, for fulfilling this our order. And if any dean, or dean and chapter, or any that holdeth any dignity or prebend in the cathedral church, do not observe these our commands,

that you call them before you, and see this our will be obeyed. And if you or any bishop do not your duty, either in their own grants, or seeing others to do it, then we will, that upon complaint, the archbishop of the province see all performed according to this our declaration, will, and pleasure. And whereas there are divers rural prebends, where the vicarages are not sufficiently endowed, we require you to see these our commands fully to be observed by them. And we do declare our will and pleasure in all the particulars forecited to be, that if you or any of your successors, or dean, or dean and chapter of that our cathedral church, or any other person holding any office, benefice, or prebend in the same, do or shall refuse or omit to observe these our commands, we shall judge them unworthy of our future favour, whensoever any preferment ecclesiastical shall be desired by them from us. And lastly our will and command is, that you or your successors do at or before the first day of October in every year, render an account to the archbishop of [Canterbury] how these our orders and commands are observed, that the archbishop afterwards may represent the same unto us.

By his majesty's command.

EDWARD NICHOLAS.

Archiepisc. Cant.
GUIL. JUXON I.

Anno Christi
1660.

Reg. Angliae
CAROL. II. 12.

His majesty's gracious commission to search into and examine the pretended sales and purchases of the honours, manors, lands, and hereditaments of and belonging to his majesty, his royal mother, the archbishops, bishops, deans, and chapters, prebends, and other ecclesiastical persons; giving such powers and authorities as is necessary for the ends, intents, and purposes in and by the said commission specified and expressed.

CHARLES the second, by the grace of God King of England, Scotland, France, and Ireland, defender of the faith, etc. to our trusty and right well beloved counsellor Edward lord Hyde, lord chancellor of England; and to our right trusty and right well beloved cousins and counsellors Thomas earl of Southampton, lord treasurer of England, and the lord chancellor, lord high treasurer of England, and the chancellor of the Exchequer for the time being; and to our right trusty and intirely beloved cousin and counsellor George duke of Albemarle, and to our right trusty and right well beloved cousins and counsellors James marquis of Ormond, steward of our household, Edward earl of Manchester, chamberlain of our household; and to our right trusty and right well beloved cousin Jerome earl of Portland, and to our right trusty and well beloved counsellor John lord Roberts, and to our right trusty and well beloved John lord Finch, Francis lord Seymour, chancellor of our duchy of

Lancaster, and to the chancellor of our duchy of Lancaster for the time being, John lord Lucas; and to our trusty and well beloved counsellors Denzill Hollis esquire, Sir Edward Nicholas, and Sir William Morris, knights, our principal secretaries of state, Sir Anthony Ashley Cooper baronet, Arthur Annesley esquire; and to our trusty and well beloved Sir Robert Foster knight, chief justice of our bench, Sir Orlando Bridgeman knight and baronet, lord chief justice of our court of Common Pleas, Sir Robert Hyde knight, one other of the justices of our said court of Common Pleas, Sir Edward Atkins, and Sir Christopher Turner knights, two of the barons of our court of Exchequer, and to the barons of our Exchequer for the time being, Sir Jeoffry Palmer knight and baronet, our attorney general, Sir Heneage Finch knight and baronet, our solicitor general, Sir Charles Harbord knight, our surveyor general, and to our attorney, solicitor, and surveyor general for the time being; Sir Edward Tur-

^b Defunt in Kennet.

^c Deest in Kennet.

ner, Sir Allen Broderick, knights, Samuel Brown, and Matthew Hale, serjeants at law, John Crewe esquire, Richard Kinsman, one of the auditors of our revenue, Job Charleton serjeant at law, Thomas Beverley esquire, Francis Phillips, and Richard Newman esquires. As it is our duty to be ever mindful of the great mercies of almighty God vouchsafed to us and our late oppressed people, in restoring us to the exercise of our royal authority by a calm and miraculous hand of divine providence, thereby delivering them from the violence and tyranny of the late usurped powers to the peaceable enjoyments of their ancient rights established by the known laws of this nation; so we have been most careful to pursue our declaration made before our return from beyond the seas, in securing the lives, liberties, and estates of our good subjects, by passing an act of general pardon, and such other acts as have been tendered unto us by our parliament, whereby we hope we have given a general satisfaction to them, as we have received much comfort and contentment in their expressions of their affections to us and our government. And albeit by the vote of our commons, as by the order of the parliament assembled, we have been restored to the immediate possession of our lands, and might in justice as well as divers of our subjects, have entered and taken the profits thereof from the four and twentieth day of June last; yet that it may appear how really we intend to perform all our gracious promises and professions made to the officers and soldiers of our army, who did correspond or join with our said general, or Sir George Booth, in their design towards our happy restauration, and to such other of our subjects, as have been induced to purchase and to possess any of our said lands, or those of the jointure of our dear mother the queen, or any of the lands or possessions of any archbishop, bishop, dean and chapter, prebend, or other ecclesiastical person, we were graciously pleased to accept the humble petition of the said officers and soldiers, presented unto us in July last, and to commend the same to the commissioners of our treasury, as we have since done to our high treasurer of England, who have authorized our surveyor general to receive such particulars of our lands purchased and claimed by the said officers and soldiers, to their own uses and not in trust for others, as they should tender under their hands, and thereupon to keep them in the quiet possession of the same without account (which hath been duly observed) until we should be informed of the true states of their several interests, and should thereupon declare our further pleasure touching their satisfaction. And we were also graciously pleased to accept of another petition presented unto us, in the names of all the purchasers of our lands, together with certain proposals touching the same, which by advice of our privy council we did refer to the consideration of our chief baron, and other the barons of our court of Exchequer, and our surveyor general, who taking the same into serious consideration, did

represent unto us, and our said council, the various natures of the said purchases, and that it will require much time and industry to examine and consider the particular interests of the several purchasers, before it will be possible to make any report upon their said petition and proposals fit for our judgment therein. Whereupon we were pleased, and did command that our said surveyor general should allow unto them all their arrears of rents due before the four and twentieth day of June last to their own use without account, and the Michaelmas rent also since due upon such security, as he should think reasonable to be answerable for the same, which hath been accordingly pursued by him as we commanded, and we do hereby ratify and confirm the same. Now to the end that we may leave nothing undone, which honour and justice can require at our hands, for the establishment of the just rights and interests of all persons, and quiet their minds, and reconcile their affections, which the injury of the late times of change, and absolute, arbitrary power, had corrupted and alienated from us, and divided amongst themselves; we have thought fit to issue this our commission, and do therefore hereby require, and authorize you the said Edward lord Hyde, Thomas earl of Southampton, the lord chancellor, lord treasurer of England, and the chancellor of the Exchequer for the time being, George duke of Albemarle, James marquess of Ormond, Edward earl of Manchester, Jerome earl of Portland, John lord Roberts, John lord Finch, Francis lord Seymour, chancellor of our duchy of Lancaster, and the chancellor of our duchy of Lancaster for the time being, John lord Lucas, Denzill Hollis, Sir Edward Nicholas, Sir Will. Morris, Sir Anthony Ashly Cooper, Arthur Annesley, Sir Robert Foster, Sir Orlando Bridgeman, Sir Robert Hyde, Sir Edward Atkins, Sir Christ. Turner, barons of the Exchequer for the time being, Sir Jeoffry Palmer, Sir Heneage Finch, Sir Charles Harbord, our attorney, solicitor, and surveyor general for the time being, Sir Edward Turner, Sir Allen Brodrick, Matthew Hale, Samuel Brown, John Crewe, Richard Kinsman, Job Charleton, Thomas Beverley, Francis Phillips, and Richard Newman, to be our commissioners for and touching the premises, hereby giving and granting unto you, or any five or more of you, full power and authority to call, and cause to appear before you, as well the said officers and soldiers, and all other persons, who have purchased, or do claim any of the said lands of us, or of the jointure of our dear mother, or of any the said archbishops, bishops, deans, and chapters, prebends, and other ecclesiastical persons whatsoever, and every or any of them; as also the officers, servants, or agents of the said archbishops, bishops, deans and chapters, prebends, or other ecclesiastical persons, all or any of them, by your good discretion, and to enquire and inform yourselves, or by such other lawful ways or means, as you in your discretion shall think meet, which of the said lands, honours, manors, lordships, castles, parks,

parks, chafes, forrests, houses, timber trees, woods, underwoods, mills, mines, fee-farm rents, or other rents, or hereditaments, leafes, or farms were sold, given, or granted by or under the late pretended parliament, or usurped power or authority; and to enquire and find out the true value of the said lands, honours, manors, lordships, castles, parks, chafes, forrests, timber trees, woods, underwoods, mills, mines, fee-farm rents, or other rents or hereditaments, leafes, or farms, as the same were then worth by the year, or otherwise by your judgments and discretion, and how much ready mony was then, or at any time since really, and "bona fide" paid for the same, and how much in true bills and debentures, as they were then worth in ready mony, and whether any bills or debentures, which have been allowed upon any of the said sales or purchases, were counterfeited or altered in part, or in all, and by whom the same were done, and to what value and proportion, and how far the same have been discovered, and when, and by whom, and in what manner; and what profits or sums of mony have been raised or made by any of the purchasers, or possessors, or pretended owners of any the said lands or other premises so sold or given as aforesaid, or any part thereof by after sales or exchanges of land, or by sale of woods, or timber, or by plowing up or improving the same lands, or any other part of the premises, or by sale of any iron, stone, lead, timber, or other materials of churches, chapels, or other houses that have been pulled down, altered, or defaced, or by the receipts, or rents, or by any ways or means whatsoever, and when, and by whom, and for whose use and benefit the same have been so raised or made. And to enquire and find out which of the purchases of any of the said lands or premises were made by the tenants themselves to preserve their houses, tenuaries, lands, woods, or estates from waste and injury, and which of them were made by others for gain and advantage, and when and by whom the same was done, and what profit, gain, or advantage hath been made thereby; and to enquire and find out what damage or danger hath accrued or may arise to us and these our kingdoms by the destruction or waste of timber trees from off any the premises that were serviceable for our navy, or otherwise; and to enquire which of the said purchasers or late pretended owners of any of the said lands or premises have relinquished or offered up the same unto us, or any of the said ecclesiastical persons, or shall yield up the same unto you for our use, or for the use of any of the said ecclesiastical persons, or any of them; and also to enquire and find out all other things which you in your discretion shall think meet for your perfect information in and touching the premises. And thereupon you are to proceed and compose all differences arising between the said archbishops, bishops, deans and chapters, prebends, and other ecclesiastical persons, and the said purchasers or pretended owners, and thereupon to make orders and agreements

between them in writing under your hands and seals, and in such manner as you in your discretion shall find just and reasonable with their consents; and in case of refusal or disagreement on either part, then you are forthwith to certify the same unto us, and our council, whereupon you shall receive such further order therein as shall be meet: and you are then also to propose unto the said officers and soldiers, and other purchasers of our own lands such satisfaction for and in respect of their several pretended interests in the same, as upon consideration of their several interests, you shall think fit to advise in that behalf, and thereof you shall certify us with all convenient speed. And for your better information and proceeding in the premises, we do hereby will and authorize you to send for and coveine before you all such treasurers, receivers, accomptants, registers, witnesses, clerks, officers and other persons as you shall think fit, and to examine all or any of them upon their corporal oaths to be administered unto them, or any of them by your discretion, and to send for and peruse all such books of account, register books, surveys and other writings, as you shall think meet for your better discovery and finding out of the truth in all things touching the premises, and what monies have been raised by the said sales, and to whom the same hath been payed, and how the same hath been accounted for and disposed of, and how much remains in the treasurers, receivers, or accomptants hands, or any others, and how long it hath remained. And we do also hereby will and authorize you, to enquire by the oaths of good and lawful men of every county, city or privileged place, wherein the said lands and premises or any of them do lie, of all things comprehended in this our commission. Hereby willing and commanding all our sheriffs, mayors, bailiffs, and all other officers, and ministers, whom it may concern, upon your precepts and warrants to return good and sufficient jurors for the better enquiry and finding out of the truth of the premises, and to be obedient, aiding, and assisting unto you in all things, tending to the execution of this our commission. And whatsoever you, or any five, or more of you shall do or cause to be done in or about the premises, we do hereby ratify, confirm, and approve of. And our will and pleasure is, and we do hereby require the said archbishops, bishops, deans and chapters, prebends, and other ecclesiastical persons by themselves or by other persons sufficiently authorized by them to appear before you, when they shall be so required, to the end that your mediation and interposition may be the more effectual. We in no wise doubting of their readiness to comply with us in the end of this our commission, and that they will accept such reasonable conditions, as shall be tendered to them by you on the behalf of such as have been purchasers of any lands held from them or their respective churches, according to the several considerations of the persons and their interests, and that they will do no act to the prejudice of

560 *A commission to examine the sales of the king's lands, etc.*

of any purchasers, by granting any new or concurrent leases, whereby their present interest or possession may be hurt or disturbed, whilst the same is under your deliberation, and until our pleasure be further known. In wit-

ness whereof we have caused these our letters to be made patents. Witness ourself at Westminster the seventh day of October, in the twelfth year of our reign.

Archiepisc. Cant.
GUIL. JUXON I.

Anno Christi
1660.

Reg. Angliae
CAROL. II. 12.

His majesty's declaration to all his loving subjects of his kingdom of England and dominion of Wales, concerning ecclesiastical affairs.

CHARLES REX.

How much the peace of the state is concerned in the peace of the church, and how difficult a thing it is to preserve order and government in civil, whilst there is no order or government in ecclesiastical affairs, is evident to the world; and this little part of the world, our own dominions, hath had so late experience of it, that we may very well acquiesce in the conclusion, without enlarging ourself in discourse upon it, it being a subject we have had frequent occasion to contemplate upon, and to lament abroad, as well as at home.

In our letter to the speaker of the house of commons from Breda we declared how much we desired the advancement and propagation of the protestant religion; that neither the unkindness of those of the same faith towards us, nor the civilities and obligations from those of a contrary profession (of both which we have had abundant evidence) could in the least degree startle us, or make us swerve from it, and that nothing can be proposed to manifest our zeal and affection for it, to which we will not readily consent; and we said then, that we did hope in due time, ourself to propose somewhat for the propagation of it, that will satisfy the world, that we have always made it both our care and our study, and have enough observed what is most like to bring disadvantage to it. And the truth is, we do think ourself the more competent to propose, and with God's assistance to determine many things now in difference, from the time we have spent, and the experience we have had in most of the reformed churches abroad, in France, in the Low countries, and in Germany, where we have had frequent conferences with the most learned men, who have unanimously lamented the great reproach the protestant religion undergoes from the distempers and too notorious schisms in matters of religion in England: and as the most learned amongst them have always with great submission and reverence acknowledged and magnified the established government of the church of England, and the great countenance and shelter the protestant religion received from it, before these unhappy times; so many of them have with great ingenuity and sorrow confessed, that they were too easily misled by misinformation and prejudice into some disesteem of it, as if it had too much complied with the church of Rome; whereas they now acknowledge it to be the best fence God hath yet raised against popery

in the world; and we are persuaded they do with great zeal wish it restored to its old dignity and veneration.

When we were in Holland, we were attended by many grave and learned ministers from hence, who were looked upon as the most able and principal assertors of the presbyterian opinions, with whom we had as much conference, as the multitude of affairs which were then upon us would permit us to have; and to our great satisfaction and comfort found them persons full of affection to us, of zeal for the peace of the church and state, and neither enemies, as they have been given out to be, to episcopacy, or liturgy, but modestly to desire such alterations in either, as without shaking foundations, might best allay the present distempers, which the indisposition of the time, and the tenderness of some men's consciences had contracted. For the better doing whereof, we did intend, upon our first arrival in this kingdom to call a synod of divines, as the most proper expedient to provide a proper remedy for all those differences and dissatisfactions which had or should arise in matters of religion; and in the mean time, we published in our declaration from Breda, a liberty to tender consciences, and that no man should be disquieted or called in question for differences of opinion in matter of religion, which do not disturb the peace of the kingdom; and that we shall be ready to consent to such an act of parliament, as upon mature deliberation shall be offered to us, for the full granting that indulgence.

Whilst we continued in this temper of mind and resolution, and have so far complied with the persuasion of particular persons, and the distemper of the time, as to be contented with the exercise of our religion in our own chapel, according to the constant practice and laws established, without enjoining that practice, and the observation of those laws in the churches of the kingdom; in which we have undergone the censure of many, as if we were without that zeal for the church which we ought to have, and which by God's grace, we shall always retain; we have found our self not so candidly dealt with, as we have deserved, and that there are unquiet and restless spirits, who without abating any of their own distemper in recompence of the moderation they find in us, continue their bitterness against the church, and endeavour to raise jealousies of us, and to lessen our reputation by their reproaches, as if we were not true to the professions we have made:

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and in order thereunto, they have very unseasonably caused to be printed, published, and dispersed throughout the kindgom a declaration heretofore printed in our name during the time of our being in Scotland, of which we shall say no more than that the circumstances, by which we were enforced to sign that declaration, are enough known to the world; and that the worthiest and greatest part of that nation did even then detest and abhor the ill usage of us in that particular, when the same tyranny was exercised there by the power of a few ill men, which at that time had spread itself over this kingdom; and therefore we had no reason to expect that we should at this season, when we are doing all we can to wipe out the memory of all that hath been done amiss by other men, and we thank God, have wiped it out of our own remembrance, have been ourself assaulted with those reproaches, which we will likewise forget.

Since the printing this declaration, several seditious pamphlets and queries have been published and scattered abroad to infuse dislike and jealousies into the hearts of the people, and of the army; and some who ought rather to have repented the former mischief they have wrought, than to have endeavoured to improve it, have had the hardiness to publish, that the doctrine of the church, against which no man, with whom we have conferred, hath excepted, ought to be reformed as well as the discipline.

This over passionate and turbulent way of proceeding, and the impatience we find in many for some speedy determination in these matters, whereby the minds of men may be composed, and the peace of the church established, hath prevailed with us to invert the method we had proposed to ourself, and even in order to the better calling and composing of a synod (which the present jealousies will hardly agree upon) by the assistance of God's blessed Spirit which we daily invoke and supplicate, to give some determination ourself to the matters in difference, until such a synod may be called as may without passion or prejudice give us such farther assistance towards a perfect union of affections, as well as submission to authority, as is necessary: and we are the rather induced to take this upon us, by finding upon the full conference we have had with the learned men of several persuasions, that the mischiefs, under which both the church and state do at present suffer, do not result from any formed doctrine or conclusion which either party maintains or avows, but from the passion, and appetite, and interest of particular persons, who contract greater prejudice to each other from those affections, than would naturally rise from their opinions; and those distempers must be in some degree allayed, before the meeting in a synod can be attended with better success, than their meeting in other places, and their discourses in pulpits have hitherto been; and till all thoughts of victory are laid aside, the humble and necessary thoughts for the vindication of truth cannot be enough entertained.

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We must for the honour of all those of either persuasion, with whom we have conferred, declare, that the professions and desires of all for the advancement of piety and true godliness are the same; their professions of zeal for the peace of the church the same; of affection and duty to us the same: they all approve episcopacy; they all approve a set form of liturgy; and they all disprove and dislike the sin of sacrilege, and the alienation of the revenue of the church; and if upon these excellent foundations, in submission to which there is such a harmony of affections, any superstructures should be raised, to the shaking those foundations, and to the contracting and lessening the blessed gift of charity, which is a vital part of christian religion, we shall think ourself very unfortunate, and even suspect that we are defective in that administration of government with which God hath entrusted us.

We need not profess the high affection and esteem we have for the church of England as it is established by law; the reverence to which hath supported us with God's blessing against many temptations; nor do we think that reverence in the least degree diminished by our condescensions, not peremptorily to insist on some particulars of ceremony, which however introduced by the piety, and devotion, and order of former times, may not be so agreeable to the present, but may even lessen that piety and devotion, for the improvement whereof they might happily be first introduced, and consequently may well be dispensed with; and we hope this charitable compliance of ours will dispose the minds of all men to a cheerful submission to that authority, the preservation whereof is so necessary for the unity and peace of the church; and that they will acknowledge the support of the episcopal authority, to be the best support of religion, by being the best means to contain the minds of men within the rules of government: and they who would restrain the exercise of that holy function within the rules, which were observed in the primitive times, must remember and consider that the ecclesiastical power being in those blessed times always subordinate and subject to the civil; it was likewise proportioned to such an extent of jurisdiction, as was most agreeable to that; and as the sanctity, and simplicity, and resignation of that age did then refer many things to the bishops, which the policy of succeeding ages would not admit, at least did otherwise provide for; so it can be no reproach to primitive episcopacy, if where there have been great alterations in the civil government, from what was then, there have been likewise some difference and alteration in the ecclesiastical, the essence and foundation being still preserved. And upon this ground, without taking upon us to censure the government of the church in other countries, where the government of the state is different from what it is here, or enlarging ourself upon the reasons why, whilst there was an imagination of erecting a demo-

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cratical government here in the state, they should be willing to continue an aristocratical government in the church; it shall suffice to say, that since by the wonderful blessing of God the hearts of this whole nation are returned to an obedience to monarchic government in the state, it must be very reasonable to support that government in the church, which is established by law, and with which the monarchy hath flourished through so many ages, and which is in truth as ancient in this island as the christian monarchy thereof; and which hath always in some respects or degrees been enlarged or restrained, as hath been thought most conducing to the peace and happiness of the kingdom; and therefore we have not the least doubt, but that the present bishops will think the present concessions now made by us to allay the present distempers, very just and reasonable, and will very cheerfully conform themselves thereunto.

I. We do in the first place declare our purpose and resolution is and shall be to promote the power of godliness, to encourage the exercises of religion both public and private, and to take care that the Lord's day be applied to holy exercises, without unnecessary diversions; and that insufficient, negligent, and scandalous ministers be not permitted in the church; and that as the present bishops are known to be men of great and exemplary piety in their lives, which they have manifested in their notorious and unexampled sufferings during these late distempers; and of great and known sufficiency of learning; so we shall take special care, by the assistance of God, to prefer no men to that office and charge, but men of learning, virtue, and piety, who may be themselves the best examples to those who are to be governed by them; and we shall expect and provide the best we can, that the bishops be frequent preachers, and that they do very often preach themselves in some church of their diocese, except they be hindered by sickness, or other bodily infirmities, or some other justifiable occasion, which shall not be thought justifiable if it be frequent.

II. Because the dioceses, especially some of them, are thought to be of too large extent; we will appoint such a number of suffragan bishops in every diocese, as shall be sufficient for the due performance of their work.

III. No bishop shall ordain or exercise any part of jurisdiction which appertains to the censures of the church, without the advice and assistance of the presbyters; and no chancellors, commissaries, or officials, as such, shall exercise any act of spiritual jurisdiction in these cases, viz. excommunication, absolution, or wherein any of the ministry are concerned, with reference to their pastoral charge. However our intent and meaning is to uphold and maintain the profession of the civil law so far and in such matters, as it hath been of use and practice within our kingdoms and dominions; albeit as to excommunication, our will and

pleasure is, that no chancellor, commissary, or official shall decree any sentence of excommunication, or absolution, or be judges in those things wherein any of the ministry are concerned, as is aforesaid. Nor shall the archdeacon exercise any jurisdiction without the advice and assistance of six ministers of his archdeaconry, whereof three to be nominated by the bishop, and three by the election of the major part of the presbyters within the archdeaconry.

IV. To the end that the deans and chapters may be the better fitted to afford counsel and assistance to the bishops, both in ordination and the other offices mentioned before; we will take care that those preferments be given to the most learned and pious presbyters of the diocese; and moreover, that an equal number (to those of the chapter) of the most learned, pious, and discreet presbyters of the same diocese, annually chosen by the major vote of all the presbyters of that diocese present at such elections, shall be always advising and assisting, together with those of the chapter, in all ordinations, and in every part of jurisdiction, which appertains to the censures of the church, and at all other solemn and important actions in the exercise of the ecclesiastical jurisdiction, wherein any of the ministry are concerned: provided that at all such meetings the number of the ministers so elected, and those present of the chapter shall be equal, and not exceed one the other, and that to make the numbers equal, the juniors of the exceeding number be withdrawn, that the most ancient may take place; nor shall any suffragan bishop ordain or exercise the forementioned offices and acts of spiritual jurisdiction, but with the advice and assistance of a sufficient number of the most judicious and pious presbyters annually chosen as aforesaid within his precincts: and our will is that the great work of ordination be constantly and solemnly performed by the bishop and his aforesaid presbytery, at the four set times and seasons appointed by the church for that purpose.

V. We will take care that confirmation be rightly and solemnly performed, by the information and with the consent of the minister of the place; who shall admit none to the Lord's supper, till they have made a credible profession of their faith, and promised obedience to the will of God; according as is expressed in the considerations of the rubric before the catechism; and that all possible diligence be used for the instruction and reformation of scandalous offenders, whom the minister shall not suffer to partake of the Lord's table, until they have openly declared themselves to have truly repented and amended their former naughty lives, as is partly expressed in the rubric, and more fully in the canons; provided there be place for due appeals to superior powers. But besides the suffragans and their presbytery, every rural dean (those deans, as heretofore, to be nominated by the bishop of the diocese) together with three or four ministers of that deanry, chosen by the major part of all the ministers

ministers within the same, shall meet once in every month, to receive such complaints, as shall be presented to them by the ministers or churchwardens of the respective parishes; and also to compose all such differences betwixt party and party, as shall be referred unto them by way of arbitration, and to convince offenders, and reform all such things, as they find amiss, by their pastoral reproofs and admonitions, if they may be so reformed: and such matters as they cannot by this pastoral and persuasive way compose and reform, are by them to be prepared for, and presented to the bishop; at which meeting any other ministers of that deanry may, if they please, be present and assist. Moreover, the rural dean and his assistants are in their respective divisions to see, that the children and younger sort be carefully instructed by the respective ministers of every parish, in the grounds of christian religion, and be able to give a good account of their faith and knowledge, and also of their christian conversation conformable thereunto, before they be confirmed by the bishop, or admitted to the sacrament of the Lord's supper.

VI. No bishop shall exercise any arbitrary power, or do or impose any thing upon the clergy or the people, but what is according to the known law of the land.

VII. We are very glad to find, that all with whom we have conferred, do in their judgments approve a liturgy, or set form of public worship to be lawful; which in our judgment for the preservation of unity, and uniformity we conceive to be very necessary: and though we do esteem the liturgy of the church of England, contained in the book of Common Prayer, and by law established, to be the best we have seen; and we believe that we have seen all that are extant and used in this part of the world, and well know what reverence most of the reformed churches, or at least the most learned men in those churches have for it; yet since we find some exceptions made against several things therein, we will appoint an equal number of learned divines of both persuasions, to review the same, and to make such alterations as shall be thought most necessary; and some additional forms (in the scripture phrase as near as may be) suited unto the nature of the several parts of worship, and that it be left to the minister's choice to use one or other at his discretion. In the mean time, and till this be done, although we do heartily wish and desire, that the ministers in their several churches, because they dislike some clauses and expressions, would not totally lay aside the use of the book of Common Prayer, but read those parts, against which there can be no exception; which would be the best instance of declining those marks of distinction, which we so much labour and desire to remove; yet in compassion to divers of our good subjects, who scruple the use of it as now it is, our will and pleasure is, that none be punished or troubled for not using it, until it be reviewed, and effectually reformed, as aforesaid.

VIII. Lastly, Concerning ceremonies, which have administered so much matter of difference and contention, and which have been introduced by the wisdom and authority of the church; for edification, and the improvement of piety, we shall say no more, but that we have the more esteem of all, and reverence for many of them, by having been present in many of those churches, where they are most abolished, or discountenanced; and it cannot be doubted, but that as the universal church cannot introduce one ceremony in the worship of God, that is contrary to God's word expressed in the scripture; so every national church, with the approbation and consent of the sovereign power, may, and hath always introduced such particular ceremonies, as in that conjuncture of time are thought most proper for edification and the necessary improvement of piety and devotion in the people, though the necessary practice thereof cannot be deduced from scripture; and that which before was, and in it self is indifferent, ceases to be indifferent, after it is once established by law: and therefore our present consideration and work is to gratify the private consciences of those, who are grieved with the use of some ceremonies, by indulging to and dispensing with their omitting those ceremonies, not utterly to abolish any which are established by law (if any are practised contrary to law, the same shall cease) which would be unjust, and of ill example; and to impose upon the conscience of some, for the satisfaction of the conscience of others, which is otherwise provided for. As it could not be reasonable that men should expect, that we should ourself decline, or enjoin others to do so, to receive the blessed sacrament upon our knees, which in our conscience is the most humble, most devout, and most agreeable posture for that holy duty, because some other men, upon reasons best, if not only known to themselves, choose rather to do it sitting or standing; we shall leave all decisions and determinations of that kind, if they shall be thought necessary for a perfect and entire unity and uniformity throughout the nation, to the advice of a national synod, which shall be duly called after a little time, and a mutual conversation between persons of different persuasions hath mollified those distempers, abated those sharpnesses, and extinguished those jealousies, which make men unfit for those consultations; and upon such advice, we shall use our best endeavour, that such laws may be established, as may best provide for the peace of the church and state. Provided that none shall be denied the sacrament of the Lord's supper, though they do not use the gesture of kneeling in the act of receiving.

In the mean time, out of compassion and compliance towards those, who would forbear the cross in baptism, we are content that no man shall be compelled to use the same, or suffer for not doing it; but if any parent desire to have his child christened according to the form used, and the minister will not use the sign, it shall be lawful for that parent to procure another

ther minister to do it: and if the proper minister shall refuse to omit that ceremony of the cross, it shall be lawful for the parent, who would not have his child so baptized, to procure another minister to do it, who will do it according to his desire.

No man shall be compelled to bow at the name of Jesus, or suffer in any degree for not doing it, without reproaching those who out of their devotion continue that ancient ceremony of the church.

For the use of the surplice, we are contented that all men be left to their liberty to do as they shall think fit, without suffering in the least degree for wearing or not wearing it; provided, that this liberty do not extend to our own chapel, cathedral or collegiate churches, or to any college in either of our universities, but that the several statutes and customs for the use thereof in the said places, be there observed as formerly.

And because some men, otherwise pious and learned, say, they cannot conform unto the subscription required by the canon, nor take the oath of canonical obedience; we are content, and it is our will and pleasure (so they take the oaths of allegiance and supremacy) that they shall receive ordination, institution, and induction, and shall be permitted to exercise their function, and to enjoy the profits of their livings, without the said subscription or oath of canonical obedience; and moreover, that no persons in the universities shall for the want of such subscription be hindered in the taking of their degrees. Lastly, that none be judged to forfeit his presentation or benefice, or be deprived of it, upon the statute of the thirteenth of queen Elizabeth, chapter the twelfth, so he read and declare his assent to all the articles of religion, which only concern the confession of the true christian faith, and the doctrine of the sacraments comprised in the book of articles in the said statute mentioned. In a word, we do again renew what we have formerly said in our declaration from Breda, for the liberty of tender consciences, that no man shall be disquieted or called in question for differences of opinion in matters of religion, which do not disturb the peace of the kingdom; and if any have been disturbed in that kind since our arrival here, it hath not proceeded from any

direction of ours.

To conclude, and in this place to explain what we mentioned before, and said in our letter to the House of Commons from Breda, that we hoped in due time, our self to propose somewhat for the propagation of the protestant religion, that will satisfy the world, that we have always made it both our care and our study, and have enough observed what is most like to bring disadvantage to it; we do conjure all our loving subjects to acquiesce in and submit to this our declaration concerning those differences, which have so much disquieted the nation at home, and given such offence to the protestant churches abroad, and brought such reproach upon the protestant religion in general, from the enemies thereof; as if upon obscure notions of faith and fancy, it did admit the practice of christian duties and obedience to be discountenanced and suspended, and introduce a licence in opinions and manners, to the prejudice of the christian faith. And let us all endeavour, and emulate each other in those endeavours, to countenance and advance the protestant religion abroad, which will be best done by supporting the dignity and reverence due to the best reformed protestant church at home; and which being once freed from the calumnies and reproaches it hath undergone from these late ill times, will be the best shelter for those abroad, which will by that countenance both be the better protected against their enemies, and be the more easily induced to compose the differences amongst themselves, which give their enemies more advantage against them: and we hope and expect that all men will henceforward forbear to vent any such doctrine in the pulpit, or to endeavour to work in such manner upon the affections of the people, as may dispose them to an ill opinion of us and the government, and to disturb the peace of the kingdom, which if all men will in their several vocations endeavour to preserve with the same affection and zeal we our self will do; all our good subjects will by God's blessing upon us enjoy as great a measure of felicity, as this nation hath ever done, and which we shall constantly labour to procure for them, as the greatest blessing God can bestow upon us in this world. Given at our court at Whitehall this twenty fifth day of October, M.DC.LX.

Archiepisc. Cant.
GUIL. JUXON I.

Anno Christi
1660.

Reg. Angliae
CAROL. II. 12.

A proclamation prohibiting all unlawful and seditious meetings and conventicles under pretence of religious worship.

CHARLES R.

ALTHOUGH nothing can be more unwelcome to us, than the necessity of restraining some part of that liberty, which was indulged to tender consciences by our late gracious declaration; yet since divers persons (known by the name of Anabaptists, Quakers, and Fifth monarchy men, or some such like appellation,

as a mark of distinction and separation) under pretence of serving God, do daily meet in great numbers in secret places, and at unusual times, by reason whereof they begin to boast of their multitudes, and to encrease in their confidences, as having frequent opportunities to settle a perfect correspondency and confederacy between themselves, of which some evil effects have already ensued, even to the disturbance of the public

public peace by insurrection and murder, for which the offenders must answer to the law, and far worse may be still expected, unless some speedy course be taken to prevent their further growth.

To the intent therefore that none of those persons, who have presumed to make so ill an use of our indulgence, may be strengthened in such their proceedings by any general words or expressions in our late declaration; we have thought fit by these presents to publish and declare our royal will and pleasure, that no meeting whatsoever of the persons aforesaid, under pretence of worshiping God, shall at any time hereafter be permitted or allowed, unless it be in some parochial church or chapel in this realm, or in private houses by the persons there inhabiting. And that all meetings and assemblies whatsoever in order to any spiritual exercise, or serving of God by the persons aforesaid, unless in the places aforesaid, shall be esteemed, and are hereby declared to be unlawful assemblies, and shall be prosecuted accordingly, and the persons therein assembled shall be proceeded against as persons riotously and unlawfully assembled.

And for the better execution of this our proclamation, and the prevention of all illegal

and seditious meetings and conventicles, we do hereby straitly charge and command all mayors, sheriffs, justices of the peace, constables, head-boroughs, commanders, and other our chief officers, and ministers, whom it may concern, that they cause diligent search to be made from time to time in all and every the places, where any such meetings or conventicles, as aforesaid, shall or may be suspected. And that they cause all and every the persons therein assembled to be apprehended and brought before one or more justices of the peace, and to be bound over to appear at the next sessions within the respective precincts, and in the mean time to find sureties for their good behaviour, or in default thereof to be committed to the next gaol.

And further we do will and command our justices of the peace, that they cause the oath of allegiance to be tendered to every person so brought before them, and upon his or their refusal, to proceed according, as by the statute made in the seventh year of the reign of our royal grandfather, of ever blessed memory, they are directed and commanded. Given at our court at Whitehall the tenth day of January, in the twelfth year of our reign, M.DC.LX.

Archiepisc. Cant.
GUIL. JUXON I.

Anno Christi
1661.

Reg. Angliae
CAROL. II. 13.

Convocatio praelatorum et cleri provinciae Cantuar. per breve regium ad 8. diem mensis Maii in ecclesia S. Pauli London. summonita.

Post peracta sacra in ecclesia S. Pauli, lectaque in domo capitulari literas commissionales reverendissimi episcopo London. et aliis coepiscopis directas, breve regium cum mandato archiepiscopi, et certificatorio episcopi London. publice perlegabatur; deinde clerus domus inferioris convocationis ad prolocutorem eligendum, et 16. die mensis hujus in capella regis Henrici VII. infra eccles. colleg. S. Petri Westmonast. praesentandum monebatur.

Eo die, sc. 16. mensis Maii, Johannes Earles, decanus ecclesiae collegiatae B. Petri Westm. cum nonnullis ecclesiae hujus praebendariis privilegia ecclesiae suae per schedulam in pergamento scriptam asseruit, quae episcopus London. locumtenens, pro se et confratribus suis, ac clero provinciae Cantuar. nullo modo infringere promisit. Postea Henricus Fearn, prolocutor, praesentatus et approbatus fuit. Hoc eodem die, "dimisso prolocutore cum coetu domus inferioris praedict. habitoque aliquandiu tractatu inter dictum reverendum patrem et caeteros episcopos suffraganeos suos, ut praefertur, comparentes, de et super precibus specialibus pro die nativitatis domini nostri regis, necnon pro felicissima restauratione ejus ad et in regna sua, viz. 29. die mensis jam instantis Maii, per quatuor episcopos hujusmodi domus, nempe Matthaeum Elien. Robertum Oxon. Benjaminum Petriburgen. et Humphridum Sarum respective episcopos, in ea parte respective elect. et per octo praelatos sive clericos domus inferioris eligendos, con-

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cipiendis et publice isto die annuatim perlegendis; necnon etiam de et super precibus specialibus et particularibus in 30. diem mensis Januarii in quolibet anno publice peragendis et perlegendis, et per reverendos patres Johannem Roffen. Henricum Cicestren. Georgium Wigorn. et Edwardum Norwicen. respective episcopos, in ea parte electos, et per octo praelatos sive clericos dictae domus inferioris in ea parte respective eligendos, concipiendis," continuata fuit convocatio ad 18. diem mensis Maii.

Eo die preces illae domino locumtenenti traditae sunt, qui eas prolocutori et sex aliis e coetu domus inferioris accersitis tradidit considerandas, et per totam domum consentiendas. "Deinde dominus commissarius intimavit dicto prolocutori de precibus specialibus et particularibus pro baptismatione nonnullorum adultorum concipiendis et formandis; et pro conceptione earundem dictus reverendus pater, cum consensu confratrum suorum, tres reverendos patres hujus domus, viz. dominum Humphridum Sarum, Benjaminum Petriburgen. et Georgium Asaph respective episcopos, elegit, et voluit dominum prolocutorem sex clericos e dicto domo inferiori eligere ad procedendum cum dictis episcopis in dicto negotio."

Hae preces pro baptismatione adultorum ultimo die mensis Maii introductae, unanimiter approbantur; quo die literae regiae, preces cujusdam Ogleby comitantes, episcopisque directae de et super commendatione Biblii impensis di-

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cti Ogleby publice legebantur ac domui inferiori commendabantur.

Septimo die mensis Junii Richardus Aldworth, armiger praesentavit domino locumtenenti "licentiam quandam regiam sigillo magno Angliae sigillat. de emendando, reformando, exponendo et corrigendo constitutiones et canones alias factas; necnon de ordinando et conficiendo nonnullas novas constitutiones, ordinationes, sive capitula, statum ecclesiasticum, sinceram religionem, et utilitatem ecclesiae Anglicanae concernen. et tenden. una cum nonnullis aliis provisionibus in eadem licentia insertis." Quam cum domo inferioris convocationis communicavit. Deinde introducta fuit copia proclamationis per attournatum regium generalem (ut asserbatur) concepta pro jejuniis observando 12. die mensis Junii, ad cujus formam componendam quatuor episcopi et octo e clero domus inferioris electi sunt.

Die decimo nono mensis Junii alia licentia sive commissio regia magno sigillo Angliae sigillat. introducebatur, potestatem dans archiepiscopo et caeteris episcopis, ac clero provinciae Cant. ad procedend. emendand. reformand. exponend. corrigend. ordinand. et conficiend. ea, quae ad res ecclesiasticas spectant. Qua perlecta, dominus episcopus London colloquium habuit cum confratribus suis de et super examinatione canonum alias fact. ac de jurisdictione ecclesiae, necnon de regulatione clericorum et ecclesiasticorum officiariorum, et elegit xii. episcopos, et xxiv. e coetu domus inferioris ad conveniendum in magna aula "le Savoy" bis qualibet hebdomada, et ad procedendum in dicto negotio donec perficiatur.

Vicesimo primo mensis Junii dominus episcopus London "tractatum habuit de conceptione unius libri articulorum in visitatione cujuslibet episcopi oeconomis et inquisitoribus in qualibet dioecesi ministrandorum, et ad eundem intuitum elegit sex episcopos ad concipiend. et formand. dictos articulos, et ad conveniend. in aula magna in "le Savoy" bis qualibet hebdomada, donec dictum opus finiatur."

Diebus deinde sequentibus 17. 19. 22. et seq. mensis Julii canones ab episcopis compositi domino episcopo London. praesentati, examinati ac emendati fuerunt.

Post nonnullas deinde continuationes virtute literarum regiarum dominus episcopus London. 21. die mensis Novembris tractatum et colloquium habuit cum confratribus suis de revisione libri publicarum precum, juxta potestatem et libertatem per easdem literas regias eis concess. quod negotium primum sex episcopis, deinde toti coetui domus inferioris committebatur.

Die vicesimo octavo Novembris revisio psalmorum Davidis; sequenti die revisio libri de consecratione diaconorum, presbyterorum, et episcoporum publice introducebatur.

Die quinto mensis Decembris calendarium libro publicarum precum annectendum offerebatur, ac eo die et sequenti 9. ejusdem mensis de forma precum concipienda super alto mari

observanda, de funeribus et funeralibus personarum super alto mari decedent. de sepultura, de comminatione agebatur. Et postquam de forma subscriptionis libro publicarum precum facienda fuisset concordatum, die 20. Decembris liber precum publicarum, administrationis sacramentorum, aliorumque rituum ecclesiae Anglicanae, una cum forma et modo ordinandi et consecrandi episcopos, presbyteros, et diaconos totius sacrae synodi provincialis assensum et consensum, approbationem ac subscriptionem recepit.

Sequenti octavo die Januarii et multis aliis sessionibus convocationis, de revisione canonum sive constitutionum anno Domini M.DC.XL. edit. tractatum fuit.

Vicesimo nono die Januarii actum fuit de actu parlamenti librum publicarum precum etc. concernent. obtinendo.

Ultima hujus mensis die et primo Februarii orta et determinata fuit "quaestio inter episcopos congregatos et assidentes, an tutum, licitum, aut consentaneum fuit pro dominis episcopis ad sedend. aut eorum praesent. exhibend. in domo procerum parlamenti, cum et quando negotium circa personas condemnatas pro prodicione nefanda in domo parlamenti inter proceres ageretur; et post multa argument. inter eos habit. et fact. concordatum et ordinatum fuit de et cum consensu totius domus, ad consulendum jurisperitos tam in foro seculari, quam in curiis civilibus et ecclesiasticis versatos de et super dicta quaestione." Et "comparuerunt dominus Willielmus Merrick miles, Robertus King, dominus Edwardus Lake, — Burrell, et Johannes Berkenhead, legum respective doctores; et post nonnullas quaestiones et argumenta inter dictos episcopos et juris consultos habit. et fact. de et super eorum praesentis in domo procerum super personis condemnatis, iidem omnes et singuli jurisperiti unanimi consensu eorum respective opiniones in scriptis dederunt; dictos episcopos in domo parlamenti una cum proceribus circa negotium personarum condemnatarum tutissime et sine ullo detrimento aut praedjudicio sedere, et eorum praesentias exhibere posse; et eidem scripto manus suas subscripserunt, et dictum scriptum sic subscriptum dicto domino episcopo London. tradiderunt".

Decimo octavo die Februarii Johannes Barwick in prolocutorem electus, approbatus fuit ab episcopo London.

Octavo die Martii Johannes, Dunelmensis episcopus, librum articulorum visitationem concernen. per eum concept. tradidit in manus domini praesidentis, qui domino archiepiscopo eum destinavit perlegendum et corrigendum.

Die vicesimo secundo Martii dominus Dunelmensis episcopus unanimiter eligebatur ad concipiendam formam de consecratione ecclesiarum parochialium et quarumcunque capellarum intra hoc regnum Angliae, quae 20. die Junii anni sequ. in manus domini praesidentis tradita fuit.

Archiepisc. Cant.
GUIL. JUXON 2.

Anno Christi
1661.

Reg. Angliae
CAROL. II. 13.

Concilium provinciale Eboracense.

AUCTORITATE brevis regii concilium hoc inchoatum fuit 8. die mensis Maii in ecclesia metropolitana B. Petri Ebor. ubi post preces matutinas in choro (inter quas lectio prima fuit Deut. xvii. lectio secunda Act. xv.) finita litania, pars prior hymni "Veni Creator Spiritus" ante concionem ad clerum cantabatur; post concionem ad domum capitularem ventum est, ubi lecto brevi regio una cum literis domini archiepiscopi mandatorialibus, clero praecognizato etc. percontabatur praeses:

"Doth it please you that this sacred synod or convocation do now begin, to the glory of God, and the peace and public good of the church and kingdom of England."

Responderunt: "It pleaseth us."

"Doth it please you to begin this solemn and sacred action with prayer, for the assistance of God's Holy Spirit."

Respond. "It pleaseth."

Tunc praeses: "Oremus genu flexi."

"Pater noster, qui es in caelis," etc.

"Adsumus Domine, Sancte Spiritus; adsumus peccati quidem inanitate detenti atque deterriti, sed in nomine Christi specialiter convocati et congregati. Veni ad nos, et esto nobiscum. Dignare cordibus illabi nostris. Doce nos quid agamus, quid dicamus, et ostende quid efficere debeamus, ut, te auxiliante, tibi in omnibus complacere valeamus. Esto salus nostra, omniumque in te sperantium. Esto effector et confirmator iudiciorum nostrorum, omniumque servorum tuorum, vices tuas ubique praefertim jam Londini gerentium. Praecipue autem in bonitate tua memineris domini nostri Caroli II. eorumque, qui ei sunt a consiliis, tum ecclesiasticis, tum civilibus, tum publicis, tum privatis. Non sinas inter nos perturbatores esse iustitiae tu, qui summam diligis aequitatem; non in sinistrum nos ignorantia trahat, non favor inflectat; non munerum vel personarum acceptio corrumpat; sed junge nos efficaciter tibi, solius tuae gratiae dono, ut simus in unum, sed in nullo aberremus a vero; quatenus in nomine tuo collecti, sic in cunctis cum moderamine pietatis iustitiam teneamus, ut hic a te in nullo dissentiat sententia nostra, et in futuro seculo te facie ad faciem in aeternum beatifice videamus, tecumque semper regnemus per Christum Jesum, Dominum et salvatorem nostrum, cui cum Patre benedicto, in unitate Spiritus Sancti, sit omnis honor, dominium, et gratiarum actio in secula seculorum. Amen."

Eodem hoc die post lectionem literarum commissionarium reverendissimi Richardo Marth, Johanni Neile, et Antonio Elcock directarum, et post concilii continuationem in horas pomeridianas, Johannes Neile, unus commissari-

orum, in prolocutorem unanimi consensu electus, archiepiscopi commissariis praesentatus et ab illis admissus fuit. Deinde post sex prorogationes vel sessiones octavo die Augusti literae regiae patentes dat. 23. die mensis Julii, potestatem concedentes praelatis et clero provinciae Ebor. canones et constitutiones ecclesiasticas exponendi, immutandi, etc. (quarum tenor de verbo ad verbum, mutatis mutandis, supra habetur anno 3. regni Jacobi I.) lectae fuerunt, synodusque provincialis prorogata in diem Jovis 21. diem mensis Novembris, et ab eo die in ultimum ejusdem mensis.

Ad comparandum in domo capitulari Ebor. ecclesiae isto die, emanaverat intimatio sive monitio omnibus et singulis praelatis, procuratoribus, et clericis sacrae synodi, ad tractandum et deliberandum de literis regis reverendissimo patri Ebor. archiepiscopo directis, aliisque literis praelatorum hujus provinciae, et una litera ab archiepiscopo Georgio Aislaby directae. Hoc facto, solennis et diligens habitus fuit tractatus de causis hujus convocationis, et de commissione sive procuratorio speciali nonnullis venerabilibus viris decernendo et concedendo, ad interendum in synodo sive convocatione cleri provinciae Cantuar. jam apud London tenta et celebrata, ex consilio et deliberatione communi in negotio revisionis libri publicarum precum, necnon formae consecrandi et ordinandi episcopos, presbyteros, et diaconos, virtute literarum seu mandati domini nostri regis in ea parte direct. prout per eandem commissionem sive procuratorium speciale inferius descriptum, plenius liquet et apparet.

Tenor praedictarum literarum domini regis sequitur in haec verba:

CHARLES R.

Most reverend father in God, we greet you well. Whereas by our commission under our seal of England, bearing date the tenth day of June last, we did (among other things) give full, free, and lawful liberty to you, as president of the convocation, and to other the bishops and clergy for our province of York, to confer, debate, treat, consider, consult, and agree of and upon such other points, matters, and things, as we from time to time should deliver or cause to be delivered unto you in writing under our sign manual or privy signet to be debated, considered, consulted, and concluded upon, any statutes, acts of parliament, proclamation, provision, restraint, clause, matter, or thing to the contrary notwithstanding; our pleasure therefore is, and according to the liberty and power reserved by our said commission, we do hereby authorize and require that you review or cause a review to be had and taken

taken both of the book of Common Prayer, and of the book of the form and manner of making and consecrating bishops, priests, and deacons; and after mature consideration, that you make such additions or alterations in the said books respectively, as to you shall seem meet and convenient; which, our pleasure is, that you exhibit and present unto us in writing for our further consideration, allowance, and confirmation. And for so doing this shall be your warrant. Given at our court at Whitehall the 22^d day of November, M.DC.LXI.

By his majesty's command.

To our right trusty and well beloved, the most reverend father in God Acceptus, archbishop of York.

SIRS,

You see the contents of his majesty's letters for the review of the book of Common Prayer, and ordination of bishops, priests, etc. for the dispatch whereof his majesty requires all possible expedition. His grace and ourselves sit in consultation with the bishops of the province of Canterbury: and because time allotted for the dispatch of these things is so short, and an act of parliament for confirmation of them ready to pass, the ordinary course for concluding them here first, then sending them down for your concurrence, and returning them up again is so dilatory, that it will not be consistent with his majesty's expectation; it is therefore our desire and request to you, that forthwith you would pass a vote for a proxy in behalf of your whole house (wherein our prolocutors are desired to concur) to Dr. Henry Ferne, prolocutor, Dr. John Earles, dean of Westminster, Dr. John Barwick, dean of St. Paul's, and to some other of the lower house of convocation there, "conjunctim et divisim," to give your consents to such things, as shall be concluded on here in relation to the premisses. This proxy under your dean, and chapter, or your chancellor's seal, we earnestly desire may (if possible) be sent up by the next post, after this comes to your hands. This is all we have at present. We therefore commit you to the protection of almighty God, resting

Your most affectionate friends,

AC. EBOR.

JO. DURESM.

RICH. CARLIOL.

BRI. CESTREN.

To the right worshipful Dr. John Neile, prolocutor, and the rest of his brethren of the convocation assembled for the province of York.

SIR,

The inclosed to Dr. Neile your prolocutor, goes to him from the bishops of the province, having in it a true copy of another from his majesty to myself. Deliver it, I pray, unto him presently (excusing my not writing unto him at present in particular) and hasten their dispatch back according to the direction therein, with as much speed as possibly you can, for it is of great and general concernment. The chancellor, who hath been our clerk herein, will perhaps (if at leisure) say more: I adding only this here in the close, that if we have not all from you by the end of next week, we are lost; and in case the convocation sit not with the doctor presently, to open the letter, as if it had been sent to him only. Farewell.

Yours,

Nov. 23.

AC. EBOR.

For Mr. George Aislaby at the Register's office in the Minster yard at York.

Procuratorium praelatorum et cleri provinciae Ebor. concessum diversis clericis ad negotiandum in synodo provinciae Cantuarien. tentata apud London M.DC.LXI.

Pateat universis per praesentes, quod nos Johannes Neile, S. T. P. referendarius, sive prolocutor domus inferioris sacrae synodi sive convocationis infra provinciam Ebor. tentae et celebratae, necnon caeteri praelati et clerici in eadem congregati, unanimis nostris assensu et consensu, venerabiles viros Johannem Barwick, S. T. P. decanum ecclesiae cathedralis divi Pauli London. Johannem Earles, S. T. etiam P. ecclesiae collegiatae S. Petri Westm. decanum, Henricum Ferne, S. T. P. decanum ecclesiae cathedralis Eliensis, Henricum Bridgman, decanum ecclesiae cathedralis Cestren. Robertum Hitch, S. T. P. archidiaconum Leicestr. Matthaeum Smalwood, S. T. P. procurator. cleri archidiaconatus Cestren. et Richmond, Andream Sandiland clericum, rectorem de Skeringham, alias Scrayingham, et procuratorem cleri archidiaconatus de Eastriding comitatus Ebor. et Humphridum Floyd clericum, procuratorem capituli ecclesiae Ebor. et praebendarium praebendae de Ampleford, in eadem ecclesia fundatae, conjunctim, et eorum quemlibet divisim in solidum, ad negotia infra scripta, et ea concernentia, omnibus et singulis melioribus via, modo, et juris forma, quibus de jure melius aut efficacius poterimus, nostros veros, certos, legitimos, et indubitatos procuratores, actores, factores, negotiorum nostrorum gestores, et nuncios speciales nominamus, ordinamus, facimus, constituimus, et deputamus per praesentes, damusque et concedimus eisdem procuratoribus nostris, et eorum cuilibet, potestatem generalem et mandatum speciale pro nobis, ac vice, loco, et nomine nostris omnibus et singulis, quae in sacra synodo sive convocatione cleri provinciae

ciae Cantuar. jam apud Westmonasterium tenta et celebrata, ex consilio et deliberatione communi, in negotio revisionis libri publicarum precum, necnon formae consecrandi et ordinandi episcopos, presbyteros, et diaconos virtute literar. seu mandati serenissimi domini nostri regis in ea parte direct. ad Dei honorem, ecclesiae et regni utilitatem salubriter et concorditer ordinari, statui, vel decerni contigerint, consentiendi, et consensum et assensum respective suos dandi et praebendi, aliisque ex adverso (si et quatenus videbitur expediens) dissentiendi et contradicendi, et generaliter omnia et singula alia faciendi, exercendi, et expediendi, quae in praemissis aut circa ea necessaria fuerint seu quomodolibet opportuna, etiamsi mandatum de se exigant magis speciale, quam praesentibus est expressum, et quae nosmetipsi facere possemus, si praesentes personaliter interessemus; juribus,

libertatibus, privilegiis, praeceminentiis, et consuetudinibus provinciae et ecclesiae Eboracen. dignitate et honore in omnibus semper salvis et reservatis: promittimusque nos ratum, gratum, et firmum perpetuo habituros totum et quicquid dicti procuratores nostri fecerint, seu eorum aliquis fecerit in praemissis, sub hypotheca et obligatione omnium et singulorum bonorum nostrorum, et in ea parte cautionem exponimus per praesentes. In cujus rei testimonium sigillum capitulare ecclesiae cathedralis et metropoliticae beati Petri Ebor. praedictae praesentibus apponi fecimus. Dat. in domo capitolari dictae ecclesiae Ebor. ultimo die mensis Novembris, anno regni serenissimi domini nostri Caroli II. Dei gratia Angliae, Franciae, et Hiberniae regis, fidei defensoris, etc. decimo tertio, annoque Domini M.DC.LXI.

Propositions exhibited in the convocation at York Dec. 13. M.DC.LXI. by P. Samwayes, doctor of divinity, proctor for the clergy of the archdeaconries of Chester and Richmond, and by the whole court approved and decreed to be transmitted to the lord archbishop, and the rest of the bishops of the province of York, now resident at London; to be communicated (if they think fit) to the other convocation of Canterbury now convened at Westminster, London. Ex MS. Guil. Sancroft, arch. Cant. penes Tho. Tanner, episc. Assaven.

I. If any alteration be made in the liturgy of the church, is it not meet, that a declaration should be published to express, that such change is not made upon the grounds pretended by those of the separation? whether good men might not safely have continued in the unity of our church, before any such alteration, to the salvation of their souls; or whether the wilful departing from the unity of the said church, were not an heinous crime? and therefore, were it not much conducive to the spiritual advantage of as many as have been involved in the schism, and to the honour also of our church, that they that have unadvisedly divided themselves from us, and should continue in their divisions, should be intreated, as they tender their own salvation, and the welfare of the souls of others joined with them, to repent for their foul offence, and not please themselves? whether their proceedings had been justifiable, because the church is contented to lay aside some of those expressions in the service book, that they had carped at?

II. Were it not fit, that a canon should be contrived for the more strict and general observation of the Ember weeks? and that collects were framed, that might implore the divine assistance in the management of that great work, to the end, that by the plentiful effusion of the graces of the blessed Spirit, the persons to be ordained at the following solemnities, might be enabled for the due discharge of their several offices, proportionably to the importance of the divers employments, that the men to be ordained shall enter upon?

III. Were it not expedient, that the holy eucharist were celebrated upon all such days, as it is required? that the second service should be said at the communion table, at least in the cathedrals? for then the quarrel of the exception

would cease, that is made against reading the service apart from the common prayers: and if through the paucity of the communicants, the priest should forbear the celebration of that holy ordinance (as it is appointed in the rubric that he should, there be except three at least to join with him) the fault (as it is call'd) of saying the rest of the service, without the communion at the table, would evidently be chargeable upon none, but such as negligently regarded the discharge of their duty in coming to that holy sacrament.

IV. Were it not requisite, and much conducive to the peace of the church, that standing at the psalms and hymns, and the recital of the "Gloria Patri" etc. were enjoined as well as at the rehearsal of the Creed? that what laudable custom hath in many places taken up, canon might in all impose, especially seeing the psalms are commonly made up of prayers and praises, which are not so comely in the mouth of a sinner, as a stander? and moreover, were it not of great concernment to the preventing of animosities, commonly arising from difference of worship, or rather diversity of posture in the same worship, that all mens outward behaviour in the church were so circumscribed, that none might do any public act in any service or office kneel, bow, or prostrate himself, but as the canon should ordain?

V. Because many people, through the great disorders of the late confusions, have been so far debauched from the integrity of their christianity, that they have by the countenance and encouragement of the usurpations made amongst us, committed acts of violence, and injustice against their brethren, and by unwarrantable courses enriched themselves; and yet through the clemency of his gracious majesty, are secure from all impleadings, and suits, in

the courts of man's law; were it not to be enjoined, that every priest should, especially before the celebration of the eucharist, press upon the consciences of his hearers, that are guilty in that kind, a serious resentment of such grand miscarriages? exhorting them, not to rest satisfied with the pardon of their pious prince here on earth, until by due penance they were qualified to receive their pardon also from the king of heaven, who remits no man's sin, that feels not the smart of it by remorse, and bewailing his wretchedness flieeth not to the throne of grace for absolution? And if his offence hath been not only against God, but also against his neighbour, expedient it is (as our church explaineth herself in one of the exhortations before the communion in such cases) to reconcile himself to his neighbour, being ready to make restitution and satisfaction unto him, according to the uttermost of his power. No man can find grounds from God's word to justify what he forbids. If therefore the war, lately commenced against his sacred majesty's royal father, of blessed memory, and own person, were contrary to God's word; the worldly advantages gotten thereby can be comfortable to no man, whose conscience shall tell him, that he is guilty of that crime. So that if any one continue to think such possessions lawful, he declareth thereby, that he approves still what he formerly did, and upon the like occasion would perhaps do the like again. And is such a person a meet and worthy communicant, and may he be received as such an one by his pastor, whatsoever opinion he may have of himself? Intimations (we humbly conceive) may be given unto such, without any diminution to the

immunities, that by their prince's act of oblivion they do, or may enjoy, to ponder with themselves the greatness of their heinous extravagancies, and that to much advantage of their souls, so as it be done (as it ought to be) without indecent upbraidings, but with grave and serious exhortations, as in the presence of God, who searcheth all hearts, not to startle the greatest offenders in the assurance of his majesty's full remission; but to win them to seek for his pardon also, who alone properly can forgive sins.

VI. Forasmuch as some not so scrupulous, as they should have been in taking covenants and engagements, not agreeable to the oaths of supremacy and allegiance, have pleased themselves with what they did, because as they conceived the king's majesty was asserted supreme in the said oaths, in opposition only to foreign power and jurisdiction, and have pleaded a coordinancy of power with his majesty in the exercise of their classical authority (as may appear by their books*) were it not expedient in such times as now we live in, that some clause or clauses were inserted into the said oaths, that might expressly exclude all such evasions, and oblige men to assert his majesty supreme in opposition to all internal and domestical pretensions of power in the classis, as well as to the external and foreign claims of the bishop of Rome?

Post varias deinde sessiones et continuationes de die in diem (in quibus tamen nihil scitu dignum occurrit) synodus haec provincialis prorogabatur a 20. die mensis Martii, M.DC.LXI. in 3. diem mensis Aprilis, M.DC.LXII.

Archiepisc. Cant.
GUIL. JUXON 2.

Anno Christi
1661.

Reg. Angliae
CAROL. II. 13.

A conference held by the king's order at the Savoy in London between several bishops and clergymen of the church of England, and some presbyterian ministers, about reviewing the liturgy. Ex MS. penes Tho. Tanner, episc. Assaven.

HIS majesty having promised in his declaration [see above pag. 563.] that the liturgy should be reviewed, in order to have it further accommodated to a general satisfaction, granted a commission to several persons of each persuasion for this purpose, the tenor of which is as follows:

Charles the second, by the grace of God, king of England, Scotland, France, and Ireland, defender of the faith, etc. to our trusty and well beloved, the most reverend father in God, Accepted, archbishop of York, the right reverend fathers in God, Gilbert, bishop of London, John, bishop of Durham, John, bishop of Rochester, Henry, bishop of Chichester, Humphrey, bishop of Sarum, George, bishop of Worcester, Robert, bishop of Lincoln, Ben-

jamin, bishop of Peterborough, Bryan, bishop of Chester, Richard, bishop of Carlisle, John, bishop of Exeter, Edward, bishop of Norwich; and to our trusty and well beloved, the reverend Anthony Tuckney, doctor in divinity, John Conant, doctor in divinity, William Spurstow, doctor in divinity, John Wallis, doctor in divinity, Thomas Manton, doctor in divinity, Edmund Calamy, batchelor in divinity, Richard Baxter, clerk, Arthur Jackson, Thomas Case, Samuel Clerk, Matthew Newcomen, clerks: and to our trusty and well beloved, doctor Earles, dean of Westminster, Peter Heylin, doctor in divinity, John Hacket, doctor in divinity, John Barwick, doctor in divinity, Peter Gunning, doctor in divinity, John Pearson, doctor in divinity, Thomas Pierce, doctor

* The power of the church is coordinate with, not subordinate to the civil magistrate, saith the book "Of the divine right of church gov." p. 84. apud The bishops appeal. And the book of discipline teacheth p. 78. that the person of the magistrate ought to be subject to the kirk spiritually, and in ecclesiastical government, pag. 25.

in divinity, Anthony Sparrow, doctor in divinity, Herbert Thorndike, batchelor in divinity; Thomas Horton, doctor in divinity, Thomas Jacombe, doctor in divinity, William Bate, John Rawlinson, clerks, William Cooper, clerk, doctor John Lightfoot, doctor John Collins, doctor Benjamin Woodbridge, and William Drake, clerk, greeting. Whereas by our declaration of the 25th of October last, concerning ecclesiastical affairs, we did, amongst other things, express our esteem of the liturgy of the church of England, contained in the book of Common Prayer; and yet since we find some exceptions made against several things therein, we did by our said declaration declare, we would appoint an equal number of learned divines of both persuasions to review the same, and to make such alterations therein, as should be thought most necessary, and some additional forms in the scripture phrase, as near as might be suited unto the nature of the several parts of worship; we therefore in accomplishment of our said will and intent, and of our continued and constant care and study for the peace and unity of the churches within our dominions, and for the removal of all exceptions and differences, and the occasions of such differences and exceptions from amongst our good subjects, for or concerning the said book of Common Prayer, or any thing therein contained, do by these our letters patents require, authorize, constitute, and appoint you the said Accepted, archbishop of York, Gilbert, bishop of London, John, bishop of Duresme, John, bishop of Rochester, Henry, bishop of Chichester, Humphrey, bishop of Sarum, George bishop of Worcester, Robert, bishop of Lincoln, Benjamin, bishop of Peterborough, Bryan, bishop of Chester, Richard, bishop of Carlisle, John, bishop of Exeter, Edward, bishop of Norwich; Anthony Tuckney, John Conant, William Spurstow, John Wallis, Thomas Manton, Edmund Calamy, Richard Baxter, Arthur Jackson, Thomas Case, Samuel Clerk, and Matthew Newcomen, to advise upon, and review the said book of Common Prayer, comparing the same with the most ancient liturgies, which have been used in the church in the primitive and purest times. And to that end, to assemble and meet together, from time to time, and at such times, within the space of four calendar months now next ensuing, and in the master's lodging in the Savoy in the Strand, in the county of Middlesex, or in such other place, or places, as to you shall be thought fit and convenient, to take into your serious and grave considerations the several directions and rules, forms of prayer, and things in the said book of Common Prayer contained, and to advise and consult upon, and about the same, and the several objections and exceptions, which shall now be raised against the same. And if occasion be, to make such reasonable and necessary alterations, corrections, and amendments therein, as by and between you the said archbishop, bishops, doctors, and persons hereby required, and authorized to meet and advise, as aforesaid,

shall be agreed upon to be needful or expedient for the giving satisfaction to tender consciences, and the restoring and continuance of peace, and unity in the churches under our protection and government; but avoiding, as much as may be, all unnecessary abbreviations of the forms and liturgy, wherewith the people are already acquainted, and have so long received in the church of England. And our will and pleasure is, that when you the said archbishop, bishops, doctors, and persons authorized and appointed by these our letters patents to meet, advise, and consult upon and about the premises, as aforesaid, shall have drawn your consultations to any resolution and determination, which you shall agree upon, as needful or expedient to be done for the altering, diminishing, or enlarging the said book of Common Prayer, or any part thereof, that then you forthwith certify and present unto us in writing, under your several hands, the matters and things whereupon you shall so determine, for our approbation; and to the end the same, or so much thereof as shall be approved by us, may be established. And forasmuch as the said archbishop and bishops, having several great charges to attend, which we would not dispense with, or that the same should be neglected upon any great occasion whatsoever, and some of them, being of great age, and infirmities, may not be able constantly to attend the execution of the service and authority thereby given, and required by us, in the meetings and consultations aforesaid; we will therefore, and do hereby require and authorize you, the said doctor Earles, Peter Heylin, John Hackett, John Barwick, Peter Gunning, John Pearson, Thomas Pierce, Anthony Sparrow, and Herbert Thorndike, to supply the place or places of such of the said archbishop and bishops (other than the said Edward, bishop of Norwich) as shall by age, sickness, infirmity, or other occasion be hindered from attending the said meetings or consultations (that is to say) that one of you, the said doctor Earles, Peter Heylin, John Hackett, John Barwick, Peter Gunning, John Pearson, Thomas Pierce, Anthony Sparrow, and Herbert Thorndike, shall from time to time supply the place of each one of them the said archbishop and bishops, other than the said Edward, bishop of Norwich, which shall happen to be hindered, or to be absent from the said meetings or consultations; and shall and may advise, consult, and determine, and also certify and execute all and singular the powers and authorities beforementioned, in and about the premises, as fully and absolutely, as such archbishop, or bishops, which shall so happen to be absent, should or might do by virtue of these our letters patents, or any thing therein contained, in case he or they were personally present. And whereas in regard of the distance of some, the infirmity of others, the multitude of constant employments, and other incidental impediments, some of you, the said Edward, bishop of Norwich, Anthony Tuckney, John Conant, William Spurstow, John Wallis, Thomas Manton, Edmund

Edmund Calamy, Richard Baxter, Arthur Jackson, Thomas Case, Sam. Clerk, and Matthew Newcomen, may be hindred from the constant attendance in the execution of the service aforesaid; we therefore will, and do hereby require, and authorize you, the said Thomas Horton, Thomas Jacombe, William Bate, John Rawlinson, William Cooper, John Lightfoot, John Collins, Benjamin Woodbridge, and William Drake, to supply the place or places, of such of the commissioners last abovementioned, as shall by the means aforesaid, or any other occasion be hindred from the said meetings and consultations (that is to say) that one of you, the said Tho. Horton, Tho. Jacombe, William Bate, John Rawlinson, William Cooper, Dr. Lightfoot, Dr. Collins, Mr. Woodbridge, and Mr. Drake, shall from time to time supply the place of each one of the said commissioners last mentioned, which shall happen to be hindered or absent from the said meetings and consultations; and shall and may advise, consult and determine, and also certify and execute all and singular the powers and authorities beforementioned, in and about the premises, as fully and absolutely, as such of the said last mentioned commissioners, which shall so happen to be absent, should or might do, by virtue of these our letters patents, or any thing therein contained, in case he or they were personally present. In witness whereof we have caused these our letters to be made patents. Witness ourself at Westminster the 25th day of March, in the thirteenth year of our reign.

Per ipsum regem.

BARKER.

The commissioners appointed being met at the bishop of London's lodgings in the Savoy, he acquainted the presbyterian ministers, that the conference for making alterations in the liturgy being requested by themselves, nothing could be done, 'till they had delivered their exceptions in writing, together with the additional forms and alterations, which they desired. Hereupon a paper containing exceptions against several parts of the rubric, and the offices of Common Prayer, the use of the surplice, the sign of the cross, kneeling at the Lord's supper, the religious observation of Lent, and saints days, and several other things of the like nature, enjoined in the liturgy, was laid before the bishops; in which they moved "that the prayers and other materials of the liturgy might not be clogg'd with any thing, that was doubtful, or questioned among pious, learned, and orthodox men; and that those parts of it, which impose any ceremonies, particularly the surplice, the sign of the cross, and kneeling, might be abrogated."

To these several objections and demands the church commissioners return'd distinct answers, and also made some concessions, which the presbyterians would not accept of.

At the expiration of the commission it was mutually agreed, that the report of the conference should be delivered to the king in writing, and that each party should give in this general account: "That the church's welfare, that unity and peace, and his majesty's satisfaction were ends, upon which they were all agreed; but as to the means, they could not come to any harmony."

And thus the conference ended without any accommodation.

Archiepisc. Cant.
GUIL. JUXON 2.

Anno Christi
1661.

Reg. Angliae
CAROL. II. 13.

The declaration of assent required to the book of Common Prayer. 13. et 14.
Car. II. Cap. IV. § 4.

I A. B. do here declare my unfeigned assent and consent to all and every thing contained and prescribed in and by the book entituled, "The book of Common Prayer and administration of the sacraments, and other rites and ceremonies of the church, according to the use

of the church of England, together with the psalter or psalms of David, appointed as they are to be sung or said in churches, and the form or manner of making, ordaining, and consecrating of bishops, priests, and deacons."

The declaration to be subscribed by the same act. § 9.

I A. B. do declare that it is not lawful upon any pretence whatsoever to take arms against the king; and that I do abhor that traitorous position of taking arms by his authority against his person, or against those that are commissioned by him; and that I will conform to the liturgy of the church of England, as it is now by law established: and I do declare, that I do

hold there lies no obligation upon me or any other person, from the oath commonly called "The solemn league and covenant," to endeavour any change or alteration of government, either in church or state; and that the same was in itself an unlawful oath and imposed upon the subjects of this realm against the known laws and liberties of this kingdom.

Archiepisc. Cant.
GUIL. JUXON 2.

Anno Christi
1661.

Reg. Angliae
CAROL. II. 13.

*Nominatio et consecratio primorum archiepiscoporum et episcoporum in Scotia post
reditum regis Caroli II. Ex reg. Juxon.*

CAROLUS secundus, Dei gratia Angliae, Scotiae, Franciae, et Hiberniae rex, fidei defensor, etc. omnibus, ad quos praesentes litterae pervenerint, salutem. Dilectis nobis reverendis in Christo patribus Gilberto, episcopo London. et Georgio, episcopo Wigorn. salutem. Cum nominatio, praesentatio, et dispensatio archiepiscopatus S. Andreae, archiepiscopatus Glasguensis, episcopatus Dumblanen. et episcopatus Gallovidien. in regno nostro Scotiae, ad nos solum, et insolidum de jure coronae regni nostri Scotiae spectat et pertinet; cumque sedes archiepiscopales et episcopales praedictae aliquandiu vacaverint, et in praesenti vacent; nosque dilectos et fideles subditos nostros regni nostri Scotiae, magistrum Jacobum Sharp ad sedem archiepiscopalem S. Andreae, magistrum Andream Fayrfull ad sedem archiepiscopalem Glasguensem, magistrum Robertum Leighton ad sedem episcopalem Dumblanen. et Jacobum Hamilton ad sedem episcopalem Gallovidien. regia nostra auctoritate, pariter et favore nominaverimus et designaverimus; et eisdem Jacobo Sharp, Andreae Fayrfull, Roberto Leighton, et Jacobo Hamilton, verbi Dei ministris et concionatoribus, de quorum probitate morum, sacrarum litterarum scientia, et rerum tam spiritualium quam temporalium administrand. prudentia nobis satis constet, stilum, titulum, et dignitatem archiepiscopatum, et episcopatum praedict. respective dederimus, contulerimus, et confirmaverimus cum suis juribus, privilegiis, jurisdictionibus, et pertinentiis quibuscunque: cumque ex certis, justis, et legitimis rationibus et causis, nos et animum nostrum in ea parte moventibus, magnopere cupiamus, ut iidem Jacobus Sharp, Andreas Fayrfull, Robertus Leighton, et Jacobus Hamilton, jam in hoc regno nostro Angliae commorantes, in archiepiscopos et episcopos respective juxta ritum et formam ecclesiae nostrae Anglicanae ordinentur et consecrentur; vobis igitur, hoc tenore praesentium significamus, rogantes, et sub fide et dilectione, quibus nobis tenemini, requirentes, quatenus eosdem Jacobum Sharp, et Andream Fayrfull in archiepiscopos praedict. et Robertum Leighton, et Jacobum Hamilton in episcopos juxta ritum et formam consecrationis in ecclesia nostra Anglicana recept. et usitat. ordinare, auctorizare, et consecrare velitis cum favore. Monentes vos nihilominus, ut in hoc consecrationis negotio ita caute et providenter procedatis, ut ecclesiae in regno nostro Scotiae, ejusve privilegiis et immunitatibus nullum inde praepjudicium generetur. In cujus rei testimonium has litteras nostras fieri fecimus patentes. Teste meipso apud Westm. 12. die Decembris, anno regni nostri XIII.

Licentia decani et capituli Westmonast. concessa Gilberto, et Georgio, episcopis antedictis, ut archiepiscopi et episcopi Scotorum supranominati consecrentur in ecclesia S. Petri Westm. aut in capella Henrici VII. infra dictam ecclesiam collegiatam.

Guilielmus, providentia divina Cant. archiepiscopus, totius Angliae primas et metropolitanus, reverendis in Christo patribus ac venerabilibus confratribus nostris dominis Gilberto, permissione divina London. episcopo, et Georgio, eadem providentia divina Wigorn. episcopo, salutem et fraternam in Domino charitatem. Cum serenissimus in Christo princeps et dominus noster, dominus Carolus secundus, Dei gratia Angliae, Scotiae, Franciae, et Hiberniae rex, fidei defensor, etc. dilectos et fideles subditos suos regni sui Scotiae, magistrum Jacobum Sharp ad sedem archiepiscopalem S. Andreae, magistrum Andream Fayrfull ad sedem archiepiscopalem Glasguensem, magistrum Robertum Leighton ad sedem episcopalem Dumblanen. et Jacobum Hamilton ad sedem episcopalem Gallovidien. in dicto suo regno Scotiae jam vacan. et ad nominationem, praesentationem, et dispositionem dicti domini nostri regis de jure coronae dicti regni sui Scotiae spectari, et pertinere, nominaverit et designaverit; et eisdem Jacobo Sharp, Andreae Fayrfull, Roberto Leighton, et Jacobo Hamilton, verbi Dei ministris et concionatoribus, stilum, titulum, et dignitatem archiepiscopatum et episcopatum praedict. respective dederit, contulerit, et confirmaverit cum suis juribus, privilegiis, jurisdictionibus, et pertinentiis quibuscunque: cumque dictus serenissimus dominus noster rex, ex certis, justis, et legitimis rationibus et causis, animum suum in ea parte movent. magnopere cupiverit ut iidem Jacobus Sharp, Andreas Fayrfull, Robertus Leighton, et Jacobus Hamilton, jam in hoc regno suo Angliae commorantes, in archiepiscopos et episcopos respective juxta ritum et formam ecclesiae Anglicanae per vos ordinentur, auctorizentur, et consecrentur, prout per suas litteras patentes regias magno suo sigillo Angliae sigillat. vobis in ea parte inscript. et direct. plenius apparet; nos exoptantes dicti domini nostri regis beneplacito, quantum in nobis est, satisfacere, ejusque pium desiderium, cum ea, qua fieri poterit, matura celeritate debitum effectum consequi, et ut praedictos venerabiles et reverendos viros Jacobum Sharp, et Andream Fayrfull in archiepiscopos, et Robertum Leighton, et Jacobum Hamilton in episcopos, juxta tenorem, vim, formam, et effectum dictarum litterarum regiarum patentium, ordinare, auctorizare, et consecrare in quacunque ecclesia, capella, sive oratorio divino cultui decenter disposito et ornato

per provinciam nostram Cant. ubilibet constitut. aliquo die dominico, ad vestrum arbitrium eligend. libere et licite possitis et valeatis; licentiam et facultatem nostras, hac vice concedimus et impertimur per praesentes, non obstant. quibuscunque in contrarium facientibus, juribus nostris archiepiscopalibus Cant. et ecclesiae nostrae cathedralis et metropoliticae Christi Cant. et ecclesiae nostrae cathedralis dignitate et honore in omnibus semper salvis. In cuius rei testimonium sigillum nostrum archiepiscopale praesentibus apponi fecimus. Dat. in manerio nostro de Lambeth 14. die mensis Decembris, anno Domini M.DC.LXI. et nostrae translationis anno secundo.

Acta habita et facta in negotio consecrationis reverendissimorum respective virorum Jacobi Sharp in archiepiscopum et pastorem ecclesiae cathedralis S. Andreae in regno Scotiae, Andreae Fayrfull in archiepiscopum et pastorem ecclesiae cathedralis Glasguen. in dicto regno Scotiae; necnon reverendorum respective virorum Roberti Leighton in episcopum et pastorem ecclesiae cathedralis Dumblanen. et Jacobi Hamilton in episcopum et pastorem ecclesiae cathedralis Gallovidien. in dicto regno Scotiae, per serenissimum in Christo principem et dominum nostrum, dominum Carolum secundum, Dei gratia Angliae, Scotiae, Franciae, et Hiberniae regem, fidei defensorem, etc. jure coronae dicti regni sui Scotiae respective nominat. designat. et confirmat. consecrat. die dominico, 15. viz. die mensis Decembris, anno Domini M.DC.LXI. regnique serenissimi Domini nostri regis XIII. et translationis reverendissimi in Christo patris ac domini, domini Guilielmi, providentia divina Cant. archiepiscopi, totius Angliae primatis et metropolitani, anno secundo, intra ecclesiam collegiatam S. Petri Westm. coram reverendo in Christo patre ac domino, domino Gilberto, permissione divina London. episcopo, dicti reverendissimi in Christo patris ac domini, domini Guilielmi, providentia divina Cant. archiepiscopi commissario, ad infra-scripta specialiter et legitime deputat. et constitut. in praesentia mei Willielmi Fisher, notarii publici registrarii, deputat. etc.

Dictis die et loco praesentatis literis commissionibus patentibus serenissimi in Christo principis et domini nostri, domini Caroli secundi, Dei gratia Angliae, Scotiae, Franciae, et Hiberniae regis, fidei defensoris, etc. necnon literis commissionibus dicti reverendissimi in Christo patris et domini, domini Guilielmi, providentia divina Cant. archiepiscopi, totius Angliae primatis et metropolitani, reverendis in Christo patribus et dominis, dominis Gil-

berto, permissione divina London. et Georgio, eadem permissione Wigorn. respective episcopis, in hac parte direct. eisque publice respective perlectis, idem reverendus pater Gilbertus, London. episcopus, onus executionis dictarum literarum respective commissionum debitis cum honore et reverentia in se acceptavit, ac vigore earundem literarum respective commissionum, assistentibus sibi reverendo in Christo patre ac domino, domino Georgio, permissione divina Wigorn. necnon Johanne Carliolen. et Hugone Landaven. respective episcopis, munus consecrationis reverendissimis viris Johanni Sharp in archiepiscopum et pastorem ecclesiae cathedralis S. Andreae in regno Scotiae praedict. Andreae Fayrfull in archiepiscopum et pastorem ecclesiae cathedralis Glasguen. in dicto regno Scotiae, necnon reverendis viris Roberto Leighton in episcopum et pastorem ecclesiae cathedralis Dumblanen. et Jacobo Hamilton in episcopum et pastorem ecclesiae cathedralis Gallovidien. in eodem regno Scotiae, per dictum dominum nostrum regem respective nominatis, designatis, et confirmatis (praestitis primitus per eosdem respective dominos nominat. designat. et confirmat. juramentis de agnoscendo regiam supremam potestatem in causis ecclesiasticis et temporalibus, ac de renunciando omni et omnimodae jurisdictioni, potestati, auctoritati, et superioritati foraneis, juxta vim, formam, et effectum statuti parliamenti hujus inclyti regni Angliae in ea parte editi et provisi; eisdemque vero reverendis viris Roberto Leighton, et Jacobo Hamilton, de legitima et canonica obedientia debita eorum respective archiepiscopis pro tempore existen. adhibenda, juxta canonem in ea parte editum etc. adhibitisque ritibus et ceremoniis de usu moderno ecclesiae Anglicanae adhibend. juxta formam descriptam in libro intitulat. "The form and manner of making and consecrating bishops, priests, and deacons") impendebat, in praesentia mei Willielmi Fisher, notarii publici, registrarii deputat. etc. praesentibus tunc et ibidem honorandis et praenobilibus viris, Carolo duce de Richmond. Thoma, domino thesaurario summo domini nostri regis, Willielmo Brabourne, sacrae theologiae professore, Richardo Chaworth, legum doctore, vicario in spiritualibus generali et officiali principali dicti reverendissimi in Christo patris domini archiepiscopi Cant. Johanne Panke, clerico, Willielmo Angier, Johanne Allen, et Roberto Thompson, notariis respective publicis, ac multis aliis in numero copioso congregatis testibus etc.

Archiepisc. Cant.
GUIL. JUXON 2.

Anno Christi
1662.

Reg. Angliae
CAROL. II. 14.

Synodus provincialis Cantuar.

SYNODUS provincialis Cantuar. post varias continuationes 12. die Aprilis tractatum habuit de subscriptionibus clericorum instituendorum et ludimagistrorum licentiandorum, et tribus

articulis, et XXXVI. canone etc. ac de imprimendo libro publicarum precum, de quo negotio 21. die Aprilis etiam agebatur. Quo die dominus episcopus London. "ulterius statuit, quod

quod nullae ordinationes clericorum per aliquos episcopos fierent, nisi intra quatuor tempora pro ordinationibus assignata, quodque nullus episcopus extra dioecesin suam aliquos clericos ad sacros vel diaconatus vel presbyteratus ordines admitteret, nisi prius literis dimissoriis a reverendissimo patre Cant. archiepiscopo obtentis." Deinde curam et revisionem precum quinto die Novembris legendarum commisit domino episcopo Dunelmensi; quae cum iis die 30. Ja-

nuarii, et 29. Maii dicendis, 26. die Aprilis publice perlectae et unanimi consensu approbatae fuerunt. In aliis hujus anni sessionibus de translatione libri publicarum precum in sermonem Latinum, et de reverentia solenni inter liturgiae publicae celebrationem, necnon tempore sermonum et homiliarum adhibenda tractatum, et constitutio in libro constitutionum sive canonum ecclesiasticorum anno Domini M.DC.III. edita et provisa, approbata et confirmata fuit.

Archiepisc. Cant.
GUIL. JUXON 2.

Anno Christi
1662.

Reg. Angliae
CAROL. II. 14.

Synodus provincialis Eboracensis.

IN provincia Eboracensi synodus 3. die Aprilis in domo capitulari ecclesiae metropolitanae congregata, ad 7. diem Maii, et ab illo die in 5. diem Junii, et deinde per breve regium dat 20. Maii, usque in 19. diem Februarii pro-

rogabatur. Hoc die in synodo comparentes praelati et clerus, eam in 7. diem mensis Maii A. D. M.DC.LXIII. per Ric. Marsh, archiepiscopi commissarium, continuaverunt.

An uniform reverence, decency, and order in all divine offices to be observed in the church; agreed in convocation 12. May, M.DC.LXII. Ex MS. Guil. Sancroft penes Thomam episc. Aflaven.

FORASMUCH as heretofore, and especially in the late licentious times many scandalous prophanations, and abuses have been presumptuously committed, and brought into the church, not only by the impiety, negligence, and irreverence of sundry sorts of people, but also by the undue liberty, which many ministers have there taken and used in altering the form of public service prescribed, and introducing, instead thereof, their own voluntary and extemporary effusions of prayers, with divers other misdemeanours and disorders, to the great dishonour of God, and the violation of the laws of religion established in the church of England, which according to the rule and precept of St. Paul enjoins all decency and order to be therein observed;

We do therefore require and ordain;

I. First, That all churches and chapels be from henceforth diligently kept from promiscuous, common, and profane usages, and restored unto those uses only, whereunto they have been religiously set apart and dedicated.

II. That the clergy, who perform holy duties in the church, shall use no other form of public service or prayer, either before or after their sermons, than what is prescribed in the book of Common Prayer, or appointed and ordered by the ecclesiastical constitutions of the church of England; and in all their celebrations of divine offices, shall so deport themselves, that they may be examples to the people, and excite them also to demean themselves with all gravity, decency, and reverence in the public service of God.

III. That all men, at their entrance into the church, or chapel, or other place of public worship, shall in honour of almighty God, who is there served, reverently uncover their heads,

and so continue all the time of the divine service, sermon, or homily.

IV. That all persons, after their entrance into the church, shall make their humble address unto almighty God for his divine assistance and blessing upon the service there to be performed, and for his gracious acceptance of the same.

V. That they be diligent to resort to the church early, and in due time, and stay not in the churchyard or porch, after the service is begun, nor depart out of the church (without great, urgent, and unfeigned cause) till the whole service and sermon, or homily be ended, and they dismissed by the priest, that so they lose not the benefit of any part of the divine office.

VI. That no person or persons, during their stay there, shall disturb the service, sermon, or homily, by walking, or talking, or any other misdemeanour, but shall every one quietly attend the same; and shall audibly say with, and after the minister, whatsoever is so appointed to be said in the book of Common Prayer.

VII. and lastly, That in all divine offices, they constantly demean themselves with such pious and reverent behaviour, as may best suit the holy actions they are about; particularly, that whenever at the time of reading the holy gospel, or repeating the Creeds, the Lord Jesus shall be mentioned, they perform due and lowly reverence, as it hath been accustomed; that they stand up at the saying, or singing of all the hymns and Creeds, and at the reading of the gospel, and whenever the doxology commonly called "Gloria Patri" shall be used (except only in the litany and commination) and that they kneel at prayers, collects, and suffrages, as also at the litany, whenever it is used in the church.

And

576 *Orders for an uniform reverence to be observed in the church.*

And to the end that all this may be both the more generally and the more conscientiously performed, we do hereby further enjoin, that all who have cure of souls, do frequently in their sermons teach, and inform the people committed to their charge, how venerable the churches and sanctuaries of God are, wherein we meet together to adore and worship his divine majesty, to call upon his holy name, to set forth his most worthy praise, to read, preach, and hear his most holy word, and to administer his most holy sacraments; and therefore by no means to be despised, abused, or prophaned.

An act confirming a canon of the church, entituled "An uniform reverence" etc. ut supra.

Whereas by both houses of this present parliament it was recommended to the bishops and clergy in the convocation, to frame and make a canon for an uniform reverence, decency, etc. which they have accordingly performed, and represented the same unto our sovereign lord the king, and the lords and commons in

this present parliament assembled in these words following:

Forasmuch as heretofore, and especially in the late licentious, etc. ad fin.

Be it therefore enacted by the king's most excellent majesty, that every person offending against the forerelated canon, or any part or branch of it, shall for every such offence be presented to the ordinary, and shall also forfeit — shillings to be levied by the churchwardens of the parish, where such offence shall be committed, for the relief of the poor, and the repair or other necessities of the church or chapel there, and the same shall be levied by warrant under the hands and seals of two or more justices of the peace of the county, city, or town corporate, where such offence shall be committed, by distress and sale of the goods of such offender, upon due proof to be made before such justices by two or more credible witnesses, and for want of such distress, then every such person so offending shall suffer imprisonment without bail or mainprize.

Archiepisc. Cant.
GUIL. JUXON 3.

Anno Christi
1662.

Reg. Angliae
CAROL. II. 14.

King Charles's letter to the archbishop of Canterbury about some abuses in the church.

*To the most reverend father in God, William,
lord archbishop of Canterbury.*

CHARLES R.

MOST reverend father in God, we greet you well. Whereas the bold abuses, and extravagancies of preachers in the pulpit have not only by the experience of former ages been found to tend to the dishonour of God, the scandal of religion, and disturbance of the peace both of church and state, but have also (through the licentiousness of the late times) much increased, to the inflaming, fomenting, and heightening, of the sad distempers and confusions that were among us; and whereas even at this present (notwithstanding the merciful providence of God, so signally manifested in restoring us to our crown, and our pious care and endeavours to govern our realms in peace and tranquillity) the said abuses do yet continue in a very high measure in sundry parts of this realm, through the busy diligence of some unquiet and factious spirits, who instead of preaching the pure word of God, and building up the people in faith and holiness, have made it a great part of their business to beget in the minds of their hearers an evil opinion of their governors, by insinuating fears and jealousies, to dispose them to discontent, and to season them with such unsound and dangerous principles, as may lead them into disobedience, schism, and rebellion: and whereas also sundry young divines, and ministers, either out of a spirit of contention and contradiction, or in vain ostentation of their learning, take upon them in their popular sermons to handle the deep points of God's eternal counsels and decrees, or to meddle with the affairs of state and government, or to wrangle about forms and gestures,

and other fruitless disputes and controversies, serving rather to amuse, than profit the hearers; which is done for the most part, and with the greatest confidence, by such persons as least understand them; we out of our princely care and zeal for the honour of God, the advancement of piety, peace, and true religion, and for the preventing for the future, as much as lieth in us, the many and great inconveniences and mischiefs that will unavoidably ensue, if a timely stop be not given to these and the like growing abuses, do, according to the examples of several of our predecessors of blessed memory, by these our special letters straitly charge and command you to use your utmost care and diligence, that these directions, which upon long and serious consideration we have thought good to give concerning preachers, and which we have caused to be printed herewith sent unto you, be from henceforth duly and strictly observed by all the bishops within your province. And to this end, our will and pleasure is, that you forthwith send them copies of these our directions, to be by them speedily communicated to every parson, vicar, curate, lecturer, and minister in every cathedral, collegiate, and parish church within their several dioceses; and that you earnestly require them to employ their utmost endeavour for the due observation of the same, whereof we shall expect a strict account, both of you, and every one of them: and these our letters shall be your sufficient warrant and discharge in that behalf. Given at our court at Whitehall the 14th day of October, in the XIVth year of our reign, M.DC.LXII.

By his majesty's command.

ED. NICHOLAS.
Directions

Archiepiſc. Cant.
GUIL. JUXON 3.

Anno Chriſti
1662.

Reg. Angliæ
CAROL. II. 14.

Directions concerning preachers.

I. **T**HAT no preachers in their ſermons preſume to meddle with matters of ſtate, to model new governments, or take upon them to declare, limit, or bound out the power and authority of ſovereign princes, or to ſtate and determine the differences between princes and the people; but that upon all good occasions they faithfully inſtruct the people in their bounden duty of ſubjection and obedience to their governours, ſuperior and ſubordinate of all ſorts, and to the eſtabliſhed laws according to the word of God, and the doctrine of the church of England, as it is contained in the homilies of obedience, and the articles of religion ſet forth by public authority.

II. That they be admoniſhed not to ſpend their time and ſtudy in the ſearch of abſtruſe and ſpeculative notions, eſpecially in and about the deep points of election and reprobation, together with the incomprehenſible manner of the concurrence of God's free grace, and man's free will, and ſuch other controverſies as depend thereupon; but howſoever, that they preſume not poſitively and doctrinally to determine any thing concerning the ſame.

III. That they forbear in their ſermons ordinarily and cauſeleſly to enter upon the handling of any other controverſies of leſs moment and difficulty; but whenſoever they are occaſioned by invitation from the text, they preach upon, or that in regard of the auditory, they preach unto, it may ſeem requiſite or expedient ſo to do; that in ſuch caſes they do it with all modeſty, gravity, and candor, aſſerting the doctrine and diſcipline of the church of England from the cavils and objections of ſuch as are adverſaries to either, without bitterneſs, railing, jeering, or other unneceſſary or unſeemly provocation.

IV. That for the more edifying of the people in faith and godlineſs (the aforeſaid abuſes laid aſide) all miniſters and preachers in their ſeveral reſpective cures ſhall not only diligently apply themſelves to catechiſe the younger ſort, according as in the book of Common Prayer is appointed; but alſo ſhall in their ordinary ſermons inſiſt chiefly upon catechetical doctrines (wherein are contained all the neceſſary and undoubted verities of chriſtian religion) declaring withall unto their congregations, what influences ſuch doctrines ought to have in their lives and converſations, and ſtirring them up effectually, as well by their examples as their doctrines, to the practice of ſuch religious and moral duties, as are the proper reſults of the ſaid doctrines, as ſelfdenial, contempt of the world, humility, patience, meekneſs, temperance, juſtice, mercy, obedience, and the like; and to a deteſtation and ſhunning of ſin, eſpecially ſuch ſins as are ſo riſe among us, and common to the age we live in; ſuch

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are thoſe uſually ſtiled the ſeven deadly ones; in ſhort, all kind of debauchery, ſenſuality, rebellion, profaneneſs, atheiſm, and the like. And becauſe theſe licentious times have corrupted religion even in the very roots and foundations, that where there is an afternoon's exerciſe, it be eſpecially ſpent either in explaining ſome part of the church catechiſm, or in preaching upon ſome ſuch text of ſcripture, as will properly and naturally lead to the handling of ſomething contained in it, or may conduce to the expoſition of the liturgy, and prayers of the church (as occaſion ſhall be offered) the only cauſe they grew into contempt amongſt the people being this, that they were not underſtood. That alſo the miniſter, as often as conveniently he can, read the prayers himſelf; and when he cannot ſo do, he procure or provide ſome fit perſon in holy orders, who may do it with that gravity, diſtinctneſs, devotion, and reverence, as becomes ſo holy an action: and whenſoever by reaſon of his infirmity, or the concurrence of other offices, the time may ſeem too ſhort, or he unable to perform the office of both prayers and ſermon at length, he rather ſhorten his diſcourſe or ſermon, than omit any thing of the prayers, leſt he incur the penalty of the act for uniformity, requiring them to be read according as the book directs.

V. And further our will and pleaſure is, that all miniſters within their ſeveral cures, be enjoined publickly to read over unto the people ſuch canons, as are or ſhall be in force, at leaſt once, and the thirty nine articles twice every year, to the end they may the better underſtand, and be more thoroughly acquainted with the doctrine and diſcipline of the church of England, and not ſo eaſily drawn away from it as formerly they have been.

VI. Since preaching was not anciently the work of every prieſt, but was reſtrained to the choiceſt perſons for gravity, prudence, and learning; the archbishops and biſhops of this kingdom are to take great care whom they licence to preach, and that all grants and licences of this kind heretofore made by any chancellor, official, commiſſary, or other ſecular perſon (who are preſumed not to be ſo competent judges in matters of this nature) be accounted void and null, unleſs the ſame ſhall likewise be allowed by the archbiſhop or the biſhop of the dioceſe; and that all licences of preachers hereafter to be made or granted by any archbiſhop or biſhop, ſhall be only during pleaſure, otherwiſe to be void to all intents and purpoſes, as if the ſame had never been made nor granted.

VII. Laſtly, That for the better obſerving of the Lord's day, too much neglected of late, they ſhall, as by often and ſerious admonitions,

7 H

and

and sharp reproofs, endeavour to draw off people from such idle, debauched, and profane courses, as dishonour God, bring a scandal on religion, and contempt on the laws and authority ecclesiastical and civil; so shall they very earnestly persuade them to frequent divine service on the Lord's day, and other festivals appointed by the church to be kept solemn; and in case any person shall resort unto any tavern, alehouses, or use any unlawful sports and exercises on such days, the minister shall exhort those, which are in authority in their several

parishes and congregations, carefully to look after all such offenders in any kind whatsoever, together with all those that abet, receive, or entertain them, that they may be proceeded against according to the laws and quality of their offences, that all such disorders may for the time to come be prevented. Given at our court at Whitehall October the 14th, in the XIVth year of our reign, M.DC.LXII.

By his majesty's command.

ED. NICHOLAS.

Archiepisc. Cant.
GUIL. JUXON 3.

Anno Christi
1662.

Reg. Angliae
CAROL. II. 14.

The lord archb. of Cant.'s letter to the lords the bishops within his grace's province.

AFTER my hearty commendations. I have lately received letters from his majesty, wherein he takes notice of the continuance and increase of some bold abuses and extravagancies in the church, especially in preachers, notwithstanding his great indulgence used towards them; and foreseeing the mischief and inconveniencies likely to ensue thereupon, if not timely prevented, and repressed, hath out of his princely and tender care of the peace of the church, sent withall certain directions to be strictly observed by the bishops in their several dioceses (as by the copies thereof, which I have sent here inclosed, your lordship will more fully understand) and for the more speedy dispatch and ease in the communication hath been graciously pleased to command so many copies thereof to be printed, as shall be needful, a proportionable number whereof will be forthwith sent unto your lordship for your diocese. Now as we cannot but with all thankfulness acknowledge his majesty's affectionate care and

zeal in this his providing for the good and welfare of the church by all means, which he finds may be conducive thereunto; so my earnest desire and hope is, we shall not be so much wanting to our own good, as not to second those his majesty's commands with the utmost of our endeavours; but that your lordship, when you shall have given order for the careful dispersing and communicating those copies, as is required, will by your diligent inspection and serious admonitions to your clergy, as occasion shall be offered, be able in due time to return an account of the success in the observation, answerable to his majesty's expectation and pious desires in this his injunction. And so with my prayers to God for a blessing upon your endeavours herein, I commit you to his holy protection, and rest

Your lordship's very loving friend and brother,

Lambeth, Oct. 23.
M.DC.LXII.

W. CANT.

Archiepisc. Cant.
GILB. SHELDON 1.

Anno Christi
1663.

Reg. Angliae
CAROL. II. 15.

Convocatio praelatorum et cleri provinciae Cantuar. et Ebor.

SUB initium hujus anni, 28. sc. die Martii, synodus praelatorum et cleri provinciae Cantuar. tractatum habuit de et super confectione libri grammaticalis tam in lingua Latina, quam Graeca, et de quaerendo consilio quarumcunque personarum, excepto ludimagistrorum et paedagogorum. Quod negotium post varias consultationes quarto demum die mensis Maii anno sequente ad finem perductum est.

Aliud hujus anni negotium fuit concessio quatuor subsidiorum juxta ratam quatuor solidorum de qualibet libra, quae facta et publice approbata fuit octavo die Julii.

Post varias prorogationes virtute literarum regiarum factas, nihil memoratu dignum in actis originalibus synodorum provincial. Cantuar. occurrit, praeterquam quod liber grammaticalis (de quo jam in superiori anno mentio facta est) in manus reverendissimi quarto die Maii traditus, ac Johannes Dolben in locum Johannis Barwick, ultimi prolocutoris, secundo die Decembris fuerit suffectus.

IN provincia Eboracensi synodus ad 7. diem Maii prorogata, ad 23. diem mensis Julii continuabatur. Quo die habito inter congregatos tractatu diligenti de subsidio regiae majestati concedendo; tandem praelati et procuratores praelatorum et cleri unanimi consensu et assensu, ac prompta et spontanea voluntate pro declaratione et in signum summae suae erga sublimitatem regiam voluntatis, fidelitatis, et officii, quatuor subsidia quatuor solidorum de libra omnium dignitatum et promotionum spiritualium et ecclesiasticorum infra provinciam Ebor. dederunt et concesserunt, in tam amplis modo et forma, prout praelati et clerus Cantuariensis provinciae regiae suae majestati concesserunt. Post varias deinde continuationes de die in diem per breve regium dat. 13. Decembris, synodus ad 9. diem Februarii, M.DC.LXIV. prorogata fuit, ac post unam alteramve sessionem a die 9. mensis Martii ad 22. mensis Junii, M.DC.LXV. continuata.

A procla-

Directoris

A proclamation commanding Jesuits to depart the kingdom. 579

Archiepisc. Cant.
GILB. SHELDON I.

Anno Christi
1663.

Reg. Angliae
CAROL. II. 15.

A proclamation commanding all Jesuits and popish priests to depart this kingdom.

CHARLES R.

WHEREAS our loyal subjects the lords and commons in this present parliament assembled, by their humble petition have represented to us, that notwithstanding our unquestionable affection and zeal to the true protestant religion, manifested in our constant profession and practice against all temptations whatsoever; yet by the great resort of Jesuits and Romish priests into this kingdom our good subjects generally were much affected with jealousy and apprehension, that the popish religion might much increase in this kingdom (which we have most piously desired may be prevented) and so the peace both in church and state may be insensibly disturbed, to the great danger of both. The two houses of parliament were therefore humble suitors to us to issue out our proclamation to command all Jesuits, and all English, Irish, and Scottish priests, and all such other priests, as have taken orders from the see of Rome, or by authority thereof (except such foreign Jesuits or priests, as by contract of marriage are to attend the persons of either of the queens, or by the laws of nations to attend foreign ambassadors) to depart this kingdom by a day, under pain of having the penalties of the laws inflicted upon them. And we having seriously considered and weighed the said humble representation and petition of our said lords and commons assembled in parliament, and the great affection and duty, with which the same was presented unto us, and accepting with much contentment their great care for the preservation of the true religion established in this kingdom; have therefore resolved to publish this our admonition and commandment, and do hereby require, charge, and command all Jesuits, and all English, Irish, and Scottish priests, and all such other priests, as have taken orders from the see of Rome, or by the authority or pretended authority thereof, who are not under any restraint by imprisonment; that they do before the fourteenth day of May next depart out of this our kingdom of England, and dominion of Wales, upon pain of having the penalties of our said laws inflicted upon them. And for their better means to depart accordingly, we

do hereby declare and publish our further pleasure, that if at any time before the said fourteenth day of May next, they or any of them shall resort to any port town of our said kingdom of England, or dominion of Wales, and there declare himself to the magistrate of the town, or other officers of any port, that he is a priest, and that he is there to take shipping for his passage, they shall suffer him or them quietly to depart, and shall see them shipped and sent away for foreign parts, and give them their furtherance for their departure. And to the end this our proclamation may be the better observed and obeyed, we do hereby strictly charge and command all our lieutenants, deputy lieutenants, commissioners, justices of the peace, mayors, sheriffs, bayliffs, and all other our officers whatsoever, that they be circumspect and vigilant each of them in their several charges from and after the said fourteenth day of May, in searching for and discovering all such Jesuits and priests, as aforesaid, as shall presume to remain in this our realm of England, or dominion of Wales, contrary to our laws, and our royal pleasure and command herein declared. Provided always; and our intention is (which we do hereby declare) that this our proclamation do not extend to priests, that do or shall from time to time attend upon the persons of our dearest consort the queen, or of the queen our dear mother, according to the treaties of their several marriages, the names of which priests shall be set down and signified by them under their great seals respectively, and such signification inrolled in our court of King's Bench. And because there may be some priests imprisoned within this our realm yet unknown to us, we do will and command all sheriffs, bayliffs, and keepers of prisons, within twenty days after the publication of this our proclamation, to advertise our privy council, or some of them, of the names of all such priests, that are in their custody, and by whom, and for what cause they were committed, to the end that thereupon we may give order for their transportation, as the case shall require. Given at our court at Whitehall the ninth day of April, in the year of our Lord M.DC.LXIII. and of our reign the fifteenth.

Archiepisc. Cant.
GILB. SHELDON I.

Anno Christi
1664.

Reg. Angliae
CAROL. II. 16.

The archbishop of Canterbury's letter to the bishop of London about sea chaplains.
Reg. Sheldon fol. 203. a.

MY lord. After my hearty commendations, etc. By immediate command from the king's majesty, I do hereby signify to your lordship, that it is his majesty's pleasure, you forthwith employ your care and best endeavours,

within your diocese, to find out and procure for his majesty's service at sea two or more able persons of your clergy, beneficed or not beneficed, such as in your judgment, as well for their good doctrine and preaching, as for their sobriety

580 *The archb. letter to the bp. of LONDON about sea chaplains.*

briety of life and discretion you shall think most apt and fit, to be employed as chaplains in his majesty's fleet, now set forth under command of his royal highness, the duke of York. In doing this, you will do God and his church good service, and pay an acceptable duty to his majesty. And for the encouragement of such as shall be willing to undertake this employment, you are to let them know, that whatsoever they hold already in the church, shall be secured unto them, notwithstanding their absence, and after their return, as his majesty recommends it to your lordship's consideration, to reserve such benefices and promotions for them, as shall be in your dispose, and according as you shall think them capable; so likewise are you to assure them of his majesty's favour in having such livings and preferments as shall fall in his majesty's gift, according as they shall be found to have demeaned themselves, and

deserved in this service. When you have found out the persons, you are to give me notice, as soon as may be, of their names and places, and how they may be sent to, that they being ready, I may know how to send for them, to attend his majesty's orders. If any person, whom you shall think fit for this employment, shall without apparent good reason refuse to shew their willingness to it, you are likewise to signify their names, that such course may be taken with them, as to his majesty and his council shall seem good. So not doubting of your lordship's performance, and expecting a speedy account, I bid you heartily farewell, and remain, my lord,

Your lordship's very loving friend and brother,

Lambeth house, Feb.—
M.DC.LXIV.

GILB. CANT.

Archiepisc. Cant.
GILB. SHELDON I.

Anno Christi
1664.

Reg. Angliae
CAROL. II. 16.

The clergy's petition to parliament. Ex MS. penes Tho. Tanner, episc. Assaven.

To the right honourable the commons of England assembled in parliament.

The humble petition of the inferior clergy, viz. of the rectors, vicars, and curates of this nation,

Humbly sheweth,

THAT your petitioners do, in all grateful manner, acknowledge your indefatigable endeavours to settle our church upon the firm basis of beautiful uniformity; a work of such matchless piety, that it can never be forgotten, whilst there remains a generation of true protestants; nevertheless there is a strange prodigious race of men amongst us, who are not at all affected with this inexpressible mercy, but labour to shake off the yoke (as they are pleas'd to term it) of government, as well civil as ecclesiastical.

We therefore your petitioners do, with all reverence, beseech this honourable house, to provide some timely cure for this disease; and in order thereunto, we in all humility beg leave to present you with these few expedients, which being (as we humbly conceive) so much to the glory of God, the good and settlement of the church, the safety and preservation of our sovereign and his crown, and the honour of our nation, will not be rejected by this honourable house.

I. That you would endeavour by some severe laws to put a stop to the increase and growth of Anabaptism in this kingdom, the people of that persuasion being most active, fraudulent, and industrious to make profelytes of the most ignorant, and to rebaptize them by their lay teachers.

II. That for the better observation of the Lord's day, and for the promoting of conformity, you would be pleased to advance the pecuniary mulct of twelve pence for each absence from divine service, in proportion to the degree, quality, and ability of the delinquent; that so the penalty may be of force enough to conquer the obstinacy of the nonconformists.

III. That you would relieve the clergy, in the gaining of their smaller tithes, not exceeding the value of forty shillings, by a less chargeable way than costly law suits, which to them (especially to poor vicars, whose maintenance is very mean by extraordinary impositions and multitude of customs) is a remedy much more grievous than the disease.

IV. That you would please to consider, and determine of some more equal manner of rating subsidies upon the clergy, the present measure thereof to them bearing no proportion with the rest of his majesty's subjects.

V. That you would please to provide some expedient to augment the maintenance of vicars in markets and great towns, and of curates under lay impropriators; such of the clergy's maintenance being in no degree competent for their pains and labour, which we conceive to be the cause, that the greatest congregations have generally curates of the meanest abilities.

VI. That you would compel such obstinate persons, as refuse to pay their due rates and assessments to the repair of their respective parish churches, and other charges relating to the worship of God, to be responsible for such stubborn refusal to the civil magistrate, seeing they undervalue and despise all ecclesiastical authority.

And your petitioners shall ever pray, etc.

Convo-

Archiepisc. Cant.
GILB. SHELDON 2.

Anno Christi
1665.

Reg. Angliae
CAROL. II. 17.

Convocatio provinciarum Cantuar. et Ebor.

IN provincia Cantuar. tres hujus anni sessiones praelatorum et cleri in synodo factas esse minerunt acta originalia, viz. 22. die Junii, 2. die Augusti, et 26. die Januarii; quid autem in iis actum fuerit, haud exprimunt. In Ebo-

racensi provincia post novem hujus anni prorogationes de die in diem, tandem per breve regium dat. 26. die Januarii, synodus praelatorum et cleri ad 24. diem Aprilis, A. D. M.DC.LXVI. continuata fuit.

His majesty's instructions concerning the present condition of all hospitals in England and Wales, directed to the lord archbishop of Cant. who is required to recommend the same to the enquiry of the bishops of both provinces, as well of York as Cant. and in his majesty's name to command them, that with all convenient speed they do each of them respectively certify to his grace the following particulars; videlicet [Reg. Sheldon fol. 204. b.]

I. How many hospitals there are within your diocese?

II. Who were the founders thereof?

III. What the revenue of each hospital doth amount unto by the year upon the rental?

IV. What the fines are reputed to be worth "communibus annis?"

V. What lands, and woods, or leasehold houses, or tenements belong to each hospital; and who hath the letting and setting of them?

VI. Who are the feoffees in trust (if any such be) for the said hospitals? and whether you have heard any just cause of complaint against them, that they have not performed their trust?

VII. Who is the present master, warden, prior, governor, or head of every of the said

hospitals, and what is his allowance according to the foundation? or what is his place reputed to be worth in common esteem?

VIII. How many poor are maintained in each hospital, and of what sort men, women, or children? and what their places are worth, according to the foundation, or reputed according to the common esteem; and whether there be now as many members as ought to be by the foundation? if not, how many and what places are void, and who receives the profits of them? and if they all have their allowances duly made them as they ought?

IX. What statutes, orders, or rates the said hospitals respectively are governed by, and to send up copies of them.

The archbishop of Canterbury's letter to the archbishop of York about the above mentioned instructions. Ibidem.

MOST reverend and my very good lord. After my hearty commendations, etc. I have received command by letters with instructions from his majesty, the contents whereof your grace will see by the transcripts of both, which together with this my letter I have now sent your grace, desiring, and by his majesty's command requiring your grace, that with all convenient speed you will transmit true copies of them to all your and my brethren, the bishops within your province; willing and requiring them according to the tenor of his ma-

jesty's letters, that as soon as may be, they certify me punctually to every enquiry in the said instructions, which your grace is also required to do for your diocese; to the end that I may give his majesty such satisfactory account therein, as by his majesty is desired. And so I bid your grace heartily farewell, and remain, my lord,

Your grace's most affectionate friend and brother,

June 26. M.DC.LXV.

GILB. CANT.

Another from the same to the bishop of London about the same. Ibid. fol. 205.

RIGHT reverend, and my very good lord. After my hearty commendations, etc. I have lately received letters with instructions from his majesty to make an enquiry into the condition of all hospitals throughout my province, and a command to give his majesty a speedy account thereof; which that I may the better do, these are therefore to desire and re-

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quire your lordship, that according to the instructions herewithall sent, you give me a particular exact account of all such hospitals, as are within your diocese, of what foundation soever: and if you shall find these instructions not fully to reach all that is fit to be known, that out of your good affection to his majesty's service, you will supply it of yourself, and

582 *The archb. letter to the bishop of London about Hospitals.*

and add to your account what else you shall think pertinent for his majesty's fuller satisfaction. So expecting a return from your lordship with as much speed as conveniently may be, I bid your lordship heartily farewell,

and am,
Your lordship's very loving friend and brother,

Lambeth house, June
26. M.DC.LXV.

GILB. CANT.

Archiepisc. Cant.
GILB. SHELDON 2.

Anno Christi
1665.

Reg. Angliae
CAROL. II. 17.

The archbishop of Canterbury's letter to the bishop of London about Nonconformists.
Reg. Sheldon fol. 205.

RIGHT reverend, and my very good lord. After my hearty commendations, etc. Having heard frequent complaints from many parts of my province not only of great disorders and disturbances caused by the crafty insinuations and turbulent practices of factious nonconformist ministers, and other disaffected to the government of the church; but also of divers unworthy persons, that even of late years have crept into the ministry, to the scandal of the church, and dissatisfaction of good men, a great part of which miscarriages are imputed to the easiness, or inadvertency at least of the bishops, who ought to have a watchful eye against such growing mischiefs; I have therefore thought good, as in like cases hath often been done by my predecessors, to recommend to your lordship, and the rest of my brethren, the bishops of my province, the orders and instructions herewithall sent, desiring and requiring your lordship and them duly to observe the same, and to give unto me such account and

certificates, as are thereby required. Which that it may be performed, I desire your lordship, that you will impart the tenor of this my letter, together with a true copy of the said orders and instructions, to every one of my brethren, the bishops of my province, with all convenient speed. And so I bid your lordship heartily farewell.

Your lordship's

very affectionate friend and brother,

Lambeth, July 7.
M.DC.LXV.

GILB. CANT.

Postscript. I desire that your lordship in your letters to my brethren, the bishops, will quicken them to make a speedy return to his majesty's instructions, for enquiries concerning hospitals, by me lately sent, and recommended to your lordship, and them by his majesty's command.

Orders and instructions by the most reverend father in God Gilbert, lord archbishop of Cant. his grace, primate of all England and metropolitan, given to all the bishops of his province, and required to be observed and certified as followeth; videlicet [Ibid. fol. 205.]

I. *Concerning ordinations.*

THAT all and every the said bishops within their several dioceses and jurisdictions be very careful what persons they receive into the ministry; and that none be admitted into holy orders, unless he bring with him letters dimissory, according to the 34th canon; and that no bishop, being not within his own proper diocese, do at any time hereafter, confer orders upon any person, without licence first from us obtained; and that in all things the canons concerning ordination be duly and punctually observed; and that once every year, videlicet within thirty days after the feast of the annunciation of our blessed lady St. Mary the virgin, every bishop do certify unto us the names, degrees, titles, and orders of every person by him ordained, within the year before, ending at Christmas then last past.

II. *Concerning pluralists and their curates.*

That before the feast day of the annunciation of our blessed lady St. Mary the virgin next coming, they and every of them certify to me

particularly the names, surnames, and degrees of all clergymen, that, together with any benefice with cure, do hold also any prebend, or ecclesiastical dignity, or promotion, or sinecure with the names and places of the said benefices, prebends, dignities, promotions, and sinecures; and also the names, surnames, and degrees of all clergymen, that hold two or more ecclesiastical benefices, with or without cure, whether within the same diocese, or in several dioceses, and the names and places wherein the said benefices are, and within what distance, or commonly reputed distance of miles; and whether they hold the same by lawful qualification and dispensation; and upon which of their benefices, prebends, dignities, or promotions they do reside; and whether they keep and maintain able, orthodox, and conformable curates upon the said benefices, where they do not reside; and whether any of them keep any curate, where they themselves do usually reside; and what are the names, surnames, and degrees of the said curates, and whether they be licensed and approved by the bishop, as they ought.

III. *Concerning*

III. *Concerning lectures and lecturers.*

That before the said feast day of our blessed lady St. Mary the virgin, they and every of them particularly certify unto me, what lectures are set up, and lecturers maintained within their respective dioceses; in what towns, places, and churches the same are set up; what allowances are made and established for any such lectures; what are the names, surnames, degrees, and qualities of all and every such lecturers; and whether such lectures be set up by and with the consent of the bishop of the diocese; and whether the said lecturers be lawfully licensed preachers, and by whom; and how they appear affected to the government of his majesty, and the doctrine and discipline of the church of England.

IV. *Concerning schoolmasters and instructors of youth.*

That before the said feast day of our blessed lady St. Mary the virgin, they and every of them particularly certify me, how many, and what free schools are within their respective dioceses, and where, and by whom founded, and how endowed, and the names, surnames, and degrees of the schoolmasters and ushers in the said free schools; and also the names, surnames, and degrees of all other public schoolmasters, and ushers, or instructors, and teachers of youth in reading, writing, grammar, or other literature, and whether they be licensed, and by whom; as also of all public mistresses of schools and instructors and teachers of young maids or women; and of all other men and women, that keep scholars in their houses to board or sojourn, and privately teach them or others within their houses; and whether the said school-

masters, ushers, schoolmistresses, and instructors, or teachers of youth publickly or privately, do themselves frequent the public prayers of the church, and cause their scholars to do the same; and whether they appear well affected to the government of his majesty, and the doctrine and discipline of the church of England.

V. *Concerning practisers of physick.*

That before the said feast day of our blessed lady St. Mary the virgin, they and every of them particularly certify me the names, surnames, degrees, and qualities of all practisers of physick within their respective dioceses; in what towns, villages, or places they live; whether licensed, and by whom; and how they appear affected to his majesty's government, and the doctrine and discipline of the church of England.

VI. *Concerning nonconformist ministers.*

That before the feast of — they and every of them particularly certify me the names, surnames, and degrees of all nonconformist ministers, that within their respective dioceses have been ejected out of any ecclesiastical benefice, promotion, or charge for nonsubscription, or nonconformity; and where, and how, and in what profession of life they now do live; and how they behave themselves in relation to the peace and quiet as well of the church, as of the state; and further, if any such like nonconformist shall have removed from any other diocese into any of their respective dioceses, that they certify the same things concerning them, as well as of the others, in this instruction mentioned. Given at my manor house at Lambeth in the county of Surrey July the 7th, M.DC.LXV.

Archiepisc. Cant.
GILB. SHELDON 2.

Anno Christi
1665.

Reg. Angliae
CAROL. II. 17.

The archbishop of Canterbury's letter about collections for those in the city of London infected by the plague. Reg. Sheldon fol. 206.

RIGHT worshipful and my very loving friends. After my hearty commendations, etc. His majesty having taken care by order of council and proclamation concerning collections for the succour of those persons and places, that at this time are under God's heavy visitation by the plague, and more particularly, for the relief of the said condition of this great city of London, upon which the chief interest of trade and principal strength of the nation depends, hath commanded, and again importuned me to encourage and quicken (as much as in me lies) those collections throughout my whole province. That I may therefore perform my duty in my particular diocese; these are to will and require you, that by the ministers and churchwardens of every parish, you cause frequent collections for the visited, with especial consideration for the city of London, to be made upon all occasions in all churches within my diocese, and that the monies

so collected may be brought in unto you, according as his majesty's proclamation, and the order of the council do direct; out of which collections so much being reserved, as will only serve to provide for the present necessity of such places within the diocese, as are visited; you are to see, that the overplus be forthwith sent up and paid to the lord bishop of London, or such person as his lordship shall appoint to receive the same, to be employed for the succour of the miserably distressed in and about this great city, in the welfare whereof the well being of all the nation is almost wholly involved; and whose calamity is far more to be pitied, than any elsewhere, not only by the raging of the infection, but even for the very want of necessities for life; many perishing that way, which otherwise might have escaped the danger, and many thousands of poor artizans being ready to starve for lack of means to be employed in their callings; all trading being become dangerous,

584 *Letter for relief of the city of Lond. infected with the plague.*

dangerous, and laid aside, by reason of the spreading of the contagion. Of your proceedings and diligence herein I shall expect at least a monthly certificate, that thereupon I may be able to give his majesty an account of the performance of his royal commands. Moreover, you are to cause several copies of this my letter to be transcribed, at least so many as there be deanries in the diocese, and with all speed to send one or more copies into each deanry, that from minister to minister it may also be copied out, and read in all churches, as well exempted as not exempted, upon the fast days when such collections shall be made, or on such

other days before that, as the ministers in their discretion shall think most fit and convenient for the advance of this great work of charity, and the satisfaction of his majesty's so pious care and desires. And so I bid you heartily farewell.

Your very loving friend,

July 31.
M.DC.LXV.

GILB. CANT.

For Sir Edmund Pierce, commissary of Canterbury, Mr. William Somner, Mr. Martin Hirst, etc.

Archiepisc. Cant.
GILB. SHELDON 2.

Anno Christi
1665.

Reg. Angliae
CAROL. II. 17.

The archbishop of Canterbury's letter to the archbishop of York on behalf of those who were visited with the plague. Reg. Sheldon. fol. 106.

MOST reverend, and my very good lord. His majesty having taken care by order of council and his proclamation for collections to be made throughout the whole kingdom for the support of those persons and places, that lie under God's heavy visitation by the plague, and more especially for the relief of the miserable condition of this great city of London, upon which the great interest of trade and principal strength of the nation depends, hath comanded me to recommend those collections to all the bishops of my province, and to let your grace know, that he expects the same care of your grace in your province, which he requires of me in mine; that your grace therefore may see the way I have taken, I have sent you a copy

of my letters to that purpose to my lord of London, to the end that your grace by perusal of them, may take the same or some other such like course in your province, as may satisfy his majesty's desires, and yield seasonable supply to the great wants of this lamentable distressed city; which will be a work of the greatest charity. More than that I need not say to recommend it to your grace's care, and so I remain,

My lord, your grace's

most affectionate friend and brother,

August 1. M.DC.LXV.

GILB. CANT.

Archiepisc. Cant.
GILB. SHELDON 3.

Anno Christi
1665.

Reg. Angliae
CAROL. II. 17.

Directions concerning probats of wills. Ibid. fol. 210. b.

THAT his grace of Cant. the lord bishop of London, and the dean of Westm. do signify respectively by letter to Sr William Merricke, Sr Richard Chaworth, and Dr John Exton, that in respect of high complaints made of the mischiefs and great inconveniences, that have arisen by the late undue granting of multitudes of administrations, and probats of wills, to the great dispersing of the infection, and ruining of the estates of persons most interested therein.

I. That for the prevention of the said mischiefs thereby arisen, the said Sr William Merricke, for the prerogative, Sr Richard Chaworth, for London, Dr Exton, for Westm. would immediately upon receipt of such letters revoke all surrogations, and suspend for the space of 14. days at least, the granting any administrations, or passing of probats for nuncupative wills, or any other tho' in writing, not

being signed or sealed, and attested by witnesses, or having any visible defect or suspicion therein appearing.

II. And afterwards to order and appoint, that no such administrations or probat of wills, as aforesaid, pass until after 14. days first fully expired, from the death of the deceased, "de cujus, etc." and a certificate or testimony from either some of the magistrates or others of credit near to the place, where the deceased died, to be sworn upon oath to be true, that the persons so craving administration or probat, be the widow, or next of kin, or the right person named executors, without fraud, and most interested in the deceased's estate, according to right and law. Which is thought (if it pleased God) to be a visible means to hinder the further dispersing of the pestilence, and to do a right and justice to the interested.

Convo-

Archiepisc. Cant.
GILB. SHELDON 3.

Anno Christi
1666.

Reg. Angliae
CAROL. II. 18.

Convocationes praelatorum et cleri provinciae Cantuar. et Ebor.

DUAS reperio sessiones praelatorum et cleri provinciae Cantuar. hoc anno; unam die Martis 24. die Aprilis, et alteram die Mercurii 19. Septembris. Quid autem in illis tractatum fuerit, acta haud referunt. Plures in provincia Ebor. fuisse sessiones synodales registra Ebor. nos edocent; unam 24. Aprilis, aliam 27. Se-

ptembris per breve regium, aliam 9. Octobris, aliam 26. Octob. aliam 16. Novemb. aliam 24. Decembris, aliam 10. Januar. aliam 7. Februar. aliam 22. Februar. et eam tandem per breve regium ad 11. diem Octobris, M.DC.LXVII. prorogatam fuisse.

A letter from the king's council to the archbishop of Canterbury about almsmen and hospitals. Reg. Sheldon fol. 213. a.

AFTER our very hearty commendations to your grace. His majesty out of his princely care and tenderness towards those, who in this way have exposed their lives at sea in his and their country's service, and have therein either by loss of limbs, or otherwise, been rendered unable to gain a livelihood for the future, having amongst other comfortable provisions designed for their relief and subsistence directed, that the almsmen's places in all the hospitals within the kingdom, which are at present, or shall become void, should be preserved and kept for such as are, or shall be so maimed as aforesaid; we do therefore, by his majesty's command, desire your grace to signify unto the several bishops within your province, that it is his express will and pleasure, that they require the masters of all hospitals, within their respective dioceses, in his majesty's name, not to dispose of any vacant almsmen's places, to any person or persons whatsoever, but that they reserve the same, with all necessary accommodations thereunto belonging, for the relief and support of such maimed seamen, and soldiers, as shall be sent unto them by his majesty's commissioners, for sick and wounded men, to whom they are to give notice of any place, that shall become void. And if after this notice given, the said

masters of hospitals shall fill any vacant places with any other persons, his majesty will cause them to be removed, to make room for maimed seamen. And his majesty, out of his care to preserve the constitution of hospitals as entire as may be, considering this great occasion, hath directed the said commissioners for sick and wounded men, that where the statutes of any foundation require the almsmen to be of such county or place, that they comply therewith, as far forth as may be, by sending thereunto such maimed men, as are of those places, if they find any such under their care. And so not doubting of your readiness in promoting so pious a work, we bid your grace very heartily farewell.

Your grace's very loving friends,

Berkshire.	G. Carteret.
E. Manchester.	Holles.
C. Craven.	Tho. Ingram,
Fitzharding.	Will. Morrice.
Arlington.	W. Coventry.
Jo Berkeley.	John Nicholas.

From the court at Whitehall,
July 28. M.DC.LXVI.

The archbishop's letter to the bishop of London about the same. Ibidem.

RIGHT reverend and my very good lord. After my hearty commendations, etc. I have lately received by his majesty's command from the lords of the council a letter, by which I am required to signify unto your lordship, and all the bishops of my province, that it is his majesty's will and pleasure, that all vacant places in hospitals and almshouses, be reserved for the relief and support of seamen and soldiers, maimed in his majesty's and their country's service; a copy whereof I have here inclosed sent unto your lordship, for your better understanding of his majesty's commands. The letter being full in setting forth his majesty's commands, I shall need to say nothing more thereupon, but to leave to your lordship's care to see that his majesty's commands

be observed in all things in the said letter required, as far in the first place as concerns your lordship in your own particular diocese, and farther that your lordship, in my name, write to all the rest of my brethren, the bishops of my province, to the same purpose; withall sending to each of them one of the copies of the said letters, which for your lordship's ease I have caused to be transcribed, and sent unto your lordship for that end. And so I bid your lordship heartily farewell, and am,

My lord your lordship's

very loving friend and brother,

Byfleet house, August 2.
M.DC.LXVI.

GILB. CANT.

Archiepisc. Cant.
GILB. SHELDON 4.

Anno Christi
1666.

Reg. Angliae
CAROL. II. 18.

Order from the king in council about the fire of London. Reg. Sheldon fol. 214. b.

At the court at Whitehall Nov. 7. M.DC.LXVI.

Present

The king's most excellent majesty.
His royal highness the duke of York.

Lord archb. of Cant.	Earl of Lauderdale.
Lord chancellor.	Lord bishop of London.
Lord treasurer.	Lord Fitzharding.
Lord privy seal.	Lord Arlington.
Duke of Albemarle.	Lord Berkeley.
Marquess of Dorchest.	Lord Ashley.
Earl of Offory.	Mr. secretary Morice.
Lord chamberlain.	Mr. chancellor of the
Earl of Bath.	duchy.
Earl of Carlisle.	Sir Will. Coventry.
Earl of Craven.	

IT was this day ordered by his majesty in council, that his grace the lord archbishop of Cant. be, and he is hereby desired to send

The archbishop of Canterbury's letter to the bishop of London about the same.
Ibidem.

RIGHT reverend, and my very good lord. After my hearty commendations, etc. I have received his majesty's pleasure by an order from the council board, desiring me to send to all the bishops of my province, that they speedily call for an account, from all the parishes within their respective dioceses, of all such sums of money as have been by them collected toward the relief of those, that have been undone by the late dreadful fire in London, and to give order, that the monies so collected (if not already paid in) may forthwith be sent up to the lord mayor of London, to be disposed of, according to his majesty's late proclamation, as by the said order (a copy whereof I have here inclosed sent unto your lordship) more fully and plainly is directed; whereunto, for the better understanding and execution thereof, I refer your lordship. These are therefore, in

A proclamation for banishing all popish priests and Jesuits, and putting the laws in speedy and due execution against popish recusants.*

CHARLES R.

WHEREAS our loyal subjects the lords spiritual and temporal, and commons in this present parliament assembled, in order to the suppressing the insolencies of the papists, have humbly desired us forthwith to issue out our royal proclamation for the banishment of

to the several bishops within that province, willing and requiring them, with all convenient speed, to give notice to the ministers of all the parishes within their respective dioceses, that they take an account of the several churchwardens, what sums of money have been collected by them, towards the relief of the distressed estate and condition of those, who have been undone by the late dreadful fire in London, and certify the same to the said bishops; and also that the said ministers direct the said churchwardens forthwith to carry in the said monies to such person or persons, as the bishops shall appoint to receive the same, if it be not already paid in; that the same may be immediately sent up to the lord mayor of London, to be disposed of according to his majesty's late proclamation.

JOHN NICHOLAS.

My lord, your lordship's

very loving friend and brother,

Lambeth house, Nov.
9. M.DC.LXVI.

GILB. CANT.

all priests and Jesuits out of this kingdom within thirty days, to be therein limited, other than such (not being our natural born subjects) who are obliged to attend upon our royal comfort the queen, or the queen our dear mother; and that if any priest or Jesuit shall happen to be taken in England after the said days, that the laws be put in due execution against them;

* Tria alia edicta huic simillima publicabantur; unum 23. die Martii, A. C. M.DC.LXX. alterum 13. die Martii, A. C. M.DC.LXXII. tertium 5. die Februar. M.DC.LXXIV.

and have further humbly desired us, that in the said proclamation, strict order be given to the judges, and barons of the Exchequer, and to all our justices of peace, and to all other ministers of justice, for the putting the laws in due execution against all popish recusants, and such as are suspected so to be, in order to their speedy conviction; and that the said judges, barons, and justices, be required at their respective assizes, and quarter sessions, to give the laws in charge against popish recusants:

And we having seriously considered thereof, and accepting with much contentment the great care of our said loyal subjects, the lords spiritual and temporal, and commons in parliament assembled, for the preservation of the true religion established in this kingdom; do therefore by this our proclamation require, charge, and command all Jesuits, and also all priests, who have taken orders from the see of Rome, or by the authority or pretended authority thereof, and are not since, and so continue reconciled to the church of England; that they and every of them do before the tenth day of December next ensuing, depart out of this our kingdom of England, and dominion of Wales, upon pain of having the penalties of the laws and statutes of this our realm inflicted upon them. And for their better means to depart accordingly, we do hereby declare and publish our further pleasure, that if at any time before the said tenth day of December next, they or any of them shall resort to any port town of our said kingdom of England, or dominion of Wales, and there declare him or themselves to the magistrate of the town, or other officers of any port, to be priests or Jesuits, and that he or they are there to take shipping for his or their passage, such magistrate or officers shall suffer him or them quietly to depart, and shall see them shipped and sent away for foreign parts, and give them their furtherance for their departure. And to the end that this our proclamation may be the better observed and obeyed, we do hereby strictly charge and command all our lieutenants, deputy lieutenants, commissioners, justices of the peace, mayors, sheriffs, bayliffs, and all other our officers whatsoever, that they

be circumspect and vigilant each of them in their several charges from and after the said tenth day of December, in searching for, discovering, and apprehending all such Jesuits and priests (as aforesaid) as shall presume to remain within this our realm of England, or dominion of Wales, contrary to our laws, and our royal pleasure and command herein declared, to the end that the laws may be put in due execution against them.

Provided always, and our intention is (which we do hereby declare) that this our proclamation shall not extend to priests (not being our natural born subjects) that do or shall from time to time attend upon the persons of our dearest consort the queen, or of the queen our dear mother, according to the treaties of their several marriages, the names of which priests shall be set down and signified by them under their great seals respectively, and such signification inrolled in our court of King's Bench.

And we do also further require, charge, and command, that all our judges, barons of our Exchequer, justices of peace, and ministers of justice, in their several places, do not only observe our will and pleasure herein before expressed, in all and every the premises; but also do forthwith put all other our laws in due execution against all popish recusants, and such as are suspected so to be, in order to their speedy conviction. And we do further will and command, that all our said judges, barons of our Exchequer, justices of the peace, and ministers of justice, to whom the same shall appertain, at and in their respective courts, assizes, gaol deliveries, and quarter sessions do publickly give the laws in charge against popish recusants, and take order that they be speedily presented, indicted, and convicted according to law. And that all our judges of assize at the returns out of their respective circuits, do from time to time hereafter, give a true and strict account of their proceedings therein unto our chancellor for the time being; and that he do present the same unto us. Given at the court at Whitehall the tenth day of November, in the eighteenth year of our reign M.DC.LXVI.

Archiepisc. Cant.
GILB. SHELDON 5.

Anno Christi
1667.

Reg. Angliae
CAROL. II. 19.

Synodi provinciales Ebor. quatuor annorum sequentium.

SYNODUS provincialis Ebor. ab 11. die mensis Octobris ad 4. Novembris, ab eo die ad 23. Decembris, ab eo ad 13. Februar. ab eo ad 5. Martii, et ab eo die ad 9. diem Aprilis, A. D. M.DC.LXVIII. fuit prorogata.

Quinque illo anno in provincia Eboracensi fuisse sessiones praelatorum et cleri in synodo congregatorum registra referunt; unam 9. die Aprilis; aliam 13. die Maii; aliam 20. die Augusti; aliam 10. die Novembris; aliam 12. die Martii; quo die in 20. diem mensis Octobris, A. D. M.DC.LXIX. prorogabatur.

Postquam synodus provincialis Ebor. 20. die

Octobris, 2. die Novembris, et 21. die Decembris, A. D. M.DC.LXIX. in domo capitulari infra ecclesiam metropolitica B. Petri Ebor. congregata fuisset, breve regium dat. 13. die Decembris, eam in 15. diem Februarii prorogavit. Ab eo die in 10. diem Martii, et inde ad 6. diem Aprilis, A. D. M.DC.LXX. per commissarium archiepiscopi fuit continuata.

Trium praelatorum et cleri provinciae Ebor. synodali sessionum M.DC.LXX. anni meminerunt registra; quarum una 6. die Aprilis, altera 10. die Maii, et tertia 29. die Aprilis congregata fuisse dicitur.

The

Archiepisc. Cant.
GILB. SHELDON 6.

Anno Christi
1669.

Reg. Angliae
CAROL. II. 21.

The archbishop of Canterbury's letter to the commissary of the diocese of Canterbury about conventicles. Ex MS. Guil. Sancroft, arch. Cant. apud Thomam, episc. Aflaven.

Sir,

AFTER my hearty commendations, etc. You cannot choose (as well as I) but be alarmed on all hands with continued reports of the frequency of conventicles and unlawful meetings of those, who under a pretence of religion and the worship of God, separate from the unity and uniformity of God's service, to the great offence of all, and fear of many his majesty's most faithful subjects, who love and truly endeavour the peace and prosperity of the church and state. His majesty in public lately speaking much against these disorderly meetings, and expressing an indignation against all reports of him, as if he either favoured or connived at them, was pleased (after he had laid some blame upon the bishops for want of care in this affair) to declare, that henceforward they should not want the assistance of the civil magistrate to suppress them; insomuch that if hereafter any bishop shall complain to any justice, and require his help, if such justice do not his duty therein, then let the bishop certify, that his majesty may know, who they are that neglect his service.

Now Sir, that I may discharge my duty in my particular diocese, I do hereby desire and require of you, that having communicated this my letter to the reverend Dr. Sancroft, dean of St. Paul's, and archdeacon of Cant. you consult him for his advice thereupon, and that by the assistance of him and your officials, and officers, and all and every the parochial ministers, parsons, vicars, and curates, and by all other persons and means, which shall be thought best, you will make speedy enquiry throughout my diocese, as well in places exempt as not exempt, what and how many conventicles or unlawful assemblies, or church meetings are held in every town and parish, what are the numbers that

usually meet at them, and of what condition or sort of people they consist, and from whom, and upon what hopes they look for impunity.

When any such conventicles are found out, if by the ecclesiastical power and authority they cannot be restrained, you are to complain to the next justice or justices; and if they fail to assist, it will be your part to certify their neglect: which if at any time there shall be cause to do, be sure your certificates be made upon good and true grounds, such as may all be evidently proved, that there be no failing, when we expect redress.

These things you are desired and required to put in speedy execution, and with all diligence to make your returns to me; whereupon you shall receive further advice and instruction. And so I bid you heartily farewell, and am,

Sir,

Your very loving friend,

Lambeth house June 8.
M.DC.LXIX.

GILB. CANT.

Postscript.

Sir,

To the enquiries about conventicles in the body of this letter set down, I think fit that these two following be added; and I desire that together with the rest they be enquir'd into; viz. whether the same persons do not meet at several conventicles, which may make them seem more numerous than indeed they are; and whether you do not think they might be easily suppressed by the assistance of the civil magistrate; the greatest part of them being (as I hear) women and children, and inconsiderable persons.

GILB. CANT.

A proclamation against numerous conventicles.

CHARLES R.

FORASMUCH as information hath been given to us from several parts of the kingdom, that those, who separate themselves from the established worship, do meet in greater numbers than formerly, to such a degree as may endanger the public peace, with which we cannot but take notice also, how far our known and still avowed easiness to indulge tender consciences, is abused thereby; wherefore by the advice of our privy council, we have thought fit to issue this our proclamation, strait-

ly charging and commanding all our justices of the peace within the limits of their several jurisdictions, where they shall find any such meetings to be held, that they put the laws in execution for suppression thereof, and particularly proceed against the preachers, according to the statute made in the seventeenth year of our reign, entituled "An act for restraining nonconformists from inhabiting in corporations." Given at our court at Whitehall this 16th day of July, in the one and twentieth year of our reign, M.DC.LXIX.

The

Archiepisc. Cant.
GILB. SHELDON 8.

Anno Christi
1670.

Reg. Angliae
CAROL. II. 22.

The archbishop of Canterbury's letter to the commissary, the dean, and archdeacon of Canterbury concerning the king's directions to the clergy. Ex autographo penes Thom. episc. Assaven.

Right worshipful Mr. commissary, and right reverend Mr. dean, and Mr. archdeacon.

IT having pleased his majesty and the two houses of parliament, out of their pious care for the welfare of this church and kingdom, by making and publishing the late act for preventing and suppressing conventicles, to lay a hopeful way for the peace and settlement of the church, and the uniformity of God's service in the same; it becomes us the bishops, ecclesiastical judges, and clergy, as most particularly sensible of the good providence of God, to endeavour, as much as in us lies, the promoting so blessed a work. And therefore having well considered what will be proper for me in my place to do, I have thought fit and do hereby recommend unto you, as my commissioners jointly and severally these counsels and methods, which I desire, that in my stead, throughout my particular diocese of Cant. as well in places exempt as not exempt, you will pursue; and which I have also by my letters given in charge to all the rest of my brethren, the bishops of my province being thereunto encouraged by his majesty's approbation and express direction in this affair.

In the first place therefore I advise and require you, that you will call before you not only all officials, registers, and other ecclesiastical officers within my diocese; but that also by such means, and at such places as you shall judge most convenient, you assemble before you or some one or more of you the several parsons, vicars, and curates of my diocese and jurisdiction within their several deanries; and that you impart unto them respectively, as they shall come before you, the tenor of these my letters, requiring them in my name, that in their several capacities and stations they all perform their duty towards God, the king, and the church, by an exemplary conformity in their own persons and practice to his majesty's laws, and the rules of the church in this behalf.

Secondly I advise, that you admonish and recommend to all and every of the parsons, vicars, and curates within my said diocese and jurisdiction strictness and sobriety of life and conversation, checking and punishing such as transgress, and encouraging such as live orderly; that so by their virtue and religious deportment they may shew themselves patterns of good living to the people under their charge. And next, that you require of them, as they will answer the contrary, that in their own persons in their churches they do decently and solemnly perform the divine service by reading the prayers of the church, as they are appointed

and ordered in and by the book of Common Prayer, without addition to or diminishing from the same, or varying, either in substance or ceremony, from the order and method, which by the said book is set down, wherein I hear and am afraid, too many do offend; and that in the time of such their officiating, they ever make use of, and wear their priestly habit, the surplice and hood; that so by their due and reverent performance of so holy a worship, they may give honour to God, and by their own example instruct the people of their parishes, what they ought to teach them in their doctrine.

Thirdly, having thus counselled the ecclesiastical officers and clergy of my diocese in their own particular duties, you are further desired to recommend unto them the care of the people under their respective jurisdictions and charges, that in their several places they do their best to persuade and win all Nonconformists and Dissenters to obedience to his majesty's laws, and unity with the church; and such as shall be refractory, to endeavour to reduce by the censures of the church, or such other good means and ways as shall be most conducing thereunto.

To which end, I advise that all and every of the said ecclesiastical judges and officers, and all and every of the clergy of my diocese, and the churchwardens of every parish by their respective ministers be desired in their respective stations and places, that they take notice of all Nonconformists, holders, frequenters, maintainers, and abettors of conventicles and unlawful assemblies, under pretence of religious worship, especially of the preachers and teachers in them, and of the place wherein the same are held, ever keeping a most watchful eye over the cities and greater towns, from whence the mischief is for the most part derived into the lesser villages and hamlets. And wherever they find such wilful offenders, that then with a hearty affection to the worship of God, the honour of the king and his laws, and the peace of the church and kingdom, they do address themselves to the civil magistrates, justices, and others concerned, imploring their help and assistance for the prevention or suppression of the same, according to the said late act made and set forth in that behalf.

Lastly, for the better direction to all those who shall be concerned in the advices given by this letter, I desire you will give out amongst ecclesiastical officers and clergy as many copies of the same, as you shall think most conducive to the ends for which it is designed.

And now, what the success will be, we must leave to God almighty. Yet I have this confidence

590 *The archbishop of CANT. letter with the king's directions.*

dence under God, that if we do our parts now at first diligently, by God's help and the assistance of the civil power (considering the abundant care and provisions this act contains for our advantages) we shall within a few months see so great an alteration in the distractions of these times, as that the seduced people returning from their seditious and self-serving teachers to the unity of the church, and uniformity in God's

service, it will be the glory of God, the welfare of the church, the praise of his majesty's government, and the happiness of the whole kingdom. And so I bid you heartily farewell and am,

Your most affectionate friend,

Lambeth house, May
7. M.DC.LXX.

GILB. CANT.

Archiepisc. Cant.
GILB. SHELDON 8.

Anno Christi
1670.

Reg. Angliae
CAROL. II. 22.

The archbishop of Canterbury's circular letter to cathedrals, that the residentiaries should in their own persons perform divine service on Sundays and holidays at least. Ex MS. penes Thom. episc. Aflaven.

RIGHT reverend and my very good lord. I have thought this a fit time to give your lordship, and all the rest of my brethren, the bishops of my province, notice of some things, which within some of our own cathedrals, and in the service God there, are not so orderly performed as they ought to be. Our cathedrals are the standard and rule to all parochial churches of the solemnity and decent manner of reading the liturgy, and administering the holy sacraments. And certainly there is none in those places, whom it better becomes to shew a good example, than those who have the chief preferments within those cathedrals; that is, the dean, canons, prebendaries, and other dignitaries within the same. But with some trouble I must needs tell you, I have from many places heard, that the duties of reading the church service, and administering the holy communion, have been too much neglected by those dignified persons; and as if it were an office below them, left for the most part to be performed by their vicars, or petty canons, to the offence of some of our friends, the advantage of sectaries, and their own just reproach. Upon this, my lord, my advice is, and I do hereby desire your lordship, that you will call before you the dean, and canons, or prebendaries of your cathedral churches, or as many as conveniently you can get together, and having im-

parted this my letter unto them, that your lordship will, as well in mine as your own name, counsel, and persuade, or otherwise require them, that they take care, as much as may be, that divine service, and administering the holy communion be celebrated by one of themselves, at least every Sunday and holiday in the year; and that they order their residence and attendance on the church, so as (if possible) one of them in person may officiate, as is before desired. This, I am assured, will be very agreeable to his majesty's good pleasure, conducive to the honour of God's service, and their own esteem and reputation. And so expecting from your lordship and them an account of what is done hereupon, as soon as conveniently it may be, at least within three months after the date hereof, I bid your lordship heartily farewell, and am,

(My lord) your lordship's

very affectionate friend and brother,

Lambeth house, June
4. M.DC.LXX.

GILB. CANT.

For the right reverend father in God, my very good lord and brother Seth, lord bishop of Sarum.

Some constitutions and orders settled and emitted by his majesty concerning the administration of the external government of the church of Scotland, and the persons employed therein. Ex MS. Guil. Sancroft, arch. Cant. apud episc. Aflaven.

CHARLES R.

WE having taken into our serious consideration, how highly important it is for the preservation and advancement of true religion, and the peace of the church and kingdom of Scotland, that the affairs and government ecclesiastical therein establish'd be duly managed; do allow and approve the practice of the bishops these years past since their restitution, in that they have exercised the government and discipline of the said church, in conjunction with presbyters, in the accustomed

meetings of presbyteries and synods. And for the establishment of the same good order and practice in time to come; it is our will and we do ordain,

I. That the said bishops shall continue to manage all church matters, with the advice, consent, free vote, and assistance of the presbyters, or major part of them, in the said meetings of presbyteries and synods. And to the end, that discipline may be constantly and exactly exercised, and all scandalous offences and offenders duly censured; we farther will and ordain, that presbyteries shall ordinarily meet once

once a month, and the diocesan synods once a year, in May or June, in their accustomed places.

II. Concerning ordination of presbyters, it is our pleasure, that intrants to the ministry being lawfully presented to any parish church, and bringing with them certificates of their having taken the oath of allegiance and supremacy; be duly tried and examin'd in the usual manner: and if thereupon they shall be in all points approved, and found sufficiently qualified by the bishop and presbytery within which the said parish church lies; an edict shall be duly served at the same, and a day appointed by the bishop and presbytery, for their meeting there, in order to the ordination and admission of the person so presented and appointed; and that one of the presbyters be appointed to preach, and the people of the parish warn'd to convene at a fit hour for the exercise of divine worship, and to see their design'd minister solemnly ordained by the imposition of the hands of the bishop, and presbyters there present; and be exhorted to yield due reverence and obedience to him and his ministry in the Lord.

III. And seeing the rules and duties of the ministerial office are fully express'd in the form of ordination, and that the intrants accordingly promise to observe them; our will is, that he having given his oath, that he is free from all simoniacal paction, none other oath or subscription shall be superadded or required of him.

IV. We farther ordain, that the bishops reside constantly in their dioceses, except upon urgent occasions; and that being in the dioceses, they preach every Sunday in some church thereof, unless they be hindered by old age or sickness, or some other invincible impediment.

V. And we do will and ordain that each minister with his church session be careful of the contributions for the poor and their constant relief, according to the ability of the parish, and likewise of the preserving and repairing the fabric of the church, in the way appointed by law, and that they take notice of all public scandals and gross offences within the parish, redressing such offences, as they have been in use to censure and correct; and reserving and delating others to the presbytery, as they have been accustomed to do; being always accountable and subject to the revising and recognition of the presbytery in all things acted by themselves in their usual meetings; as the presbyteries are to be accountable for all their actings to the bishop and diocesan synod.

VI. And to the end that good order may be the better preserved in those parochial meetings and affairs; we do ordain that besides every bishop's peculiar visiting the parishes within his diocese (in which they ought not, and it is hoped, they will not be deficient) there be frequently in the summer season more solemn and indicted visitations of such churches, as desire or need them, by the bishop and presbyters together, or by so many of the presbyters and moderator, as can conveniently meet at the times and places appointed.

VII. When we shall think fit to call a national synod of the church of Scotland, it shall consist of the archbishops and bishops, deans of cathedrals, archdeacons, the moderators of presbyteries, and one presbyter or minister out of each presbytery, chosen by the major part of the same, of one or two from the university of St. Andrew, one from Glasgow, one from Marshal's college at Aberdeen, and one from the college of Edinburgh; we or a commissioner from us being always present: and when we shall be personally present; such of our privy council shall have place and vote in the same national synod, as we shall think fit to choose; which shall not exceed the number of 15. And when we send a commissioner to it, those of our council, chosen by us as aforesaid, shall be present as assessors to our commissioner, and shall sit and vote in all things propounded in the synod, they not exceeding the aforesaid number. And the synod thus constituted, is to meet at such times and places, as we by our proclamation shall appoint, and is to debate, treat, consider, consult, conclude, and determine upon such matters, causes, and things concerning the doctrine, worship, discipline, and government of the church, as we or our commissioner shall propound, or cause to be propounded to the consideration of the said synod; and whatsoever shall be concluded by the votes of the major part of the synod, and shall be consented to by us, or our commissioner, shall have the full force of an ecclesiastical law or constitution of the church of Scotland; and all our subjects ecclesiastical and civil, in that our kingdom, shall in all matters ecclesiastical be subject to the judgment, decisions, and censures of the said national synod, and all inferior ecclesiastical meetings and judicatures in the said church shall in all their meetings and determinations be accountable to it, and censurable by it, according as we, or our commissioner, and the said synod shall see cause to take the cognizance and review of the same.

VIII. And upon the due publication of these constitutions and orders, our will is, that all the ministers of the church of Scotland shall thenceforward resort to the meetings of the presbyteries and synods, to which they belong; and that none of them shall be allowed upon any cause or pretence whatsoever to plead exemption from the same.

These are the particulars, which we have thought fit at present to ordain concerning the church affairs in Scotland; as we likewise intend, by the assistance of God, to be careful in time coming to add and enact such farther ordinances and constitutions, as we shall judge needful or useful for promoting of piety and true religion, and for the establishment of good order, and peace in that church. And these orders and constitutions being first recorded in the books of our privy council, and duly publish'd, we do ordain to be observed and obeyed by all our subjects in that our kingdom. And for the recording and due publishing of the same this shall be sufficient warrant. Given at

our

592 *King's constitutions and orders for the church of SCOTLAND.*

our court at Whitehall the 6th day of July,
M.DC.LXX. and of our reign the 22^d year.

C. R.

*Transcribed from the original at Ham,
written with E. Tweedale's hand, in D.
Lauderdail's custody.*

Private instruction.

CHARLES R.

Whereas we have delivered a paper unto you signed by us, containing some ecclesiastical constitutions and orders to be recorded in the books of our privy council and duly published; you shall either impart the same to our privy council to be recorded, or forbear it totally; or shall do it soon after your arrival, or delay it to another time, as you shall judge fit. And if before the end of this session of parliament, you shall think fit to record or publish them, we do hereby authorize you to endeavour to pass such of them into acts of parliament, as you shall judge expedient.

You shall with the advice of such as you shall think fit, consider, whether or not it be fit, that to the end the memory of the late unlawful covenants may not be perpetuated, an act be past, by which the declaration against the covenants is not to be required of any, who was not eleven years old, when the covenants

were last renew'd in the year M.DC.L. and so was not in capacity to have taken them, nor requir'd of any who shall declare, he never took those covenants, nor any of them: and for the same reasons that the declaration shall not be requir'd of any after the time limited in England; and accordingly you shall either endeavour, that an act be passed to that effect, or forbear the same.

You are to require the lord archbishop of S. Andrews to allow and authorize the transportation of such ministers, as shall be lawfully presented to any of the churches within the diocese of Glasgow, and approved by the bishop of Dunblain, out of any church within the diocese of S. Andrews, and that he enjoin the bishops within his province to do the like.

If you find it fit to publish our orders and constitutions, you shall in our name signify to the archbishops and bishops, that our pleasure is, that no minister be prejudiced nor molested for his private opinion concerning church government; providing he join with the church meetings, and submit to the present government, and in his preaching, and all other parts and exercises of his ministry, and in his whole conversation do behave himself peaceably and orderly, as becometh a minister of the gospel. Given at our court at Whitehall the 7th day of July, M.DC.LXX. and of our reign the 22^d year.

C. R.

Archiepisc. Cant.
GILB. SHELDON 9.

Anno Christi
1671.

Reg. Angliae
CAROL. II. 23.

Licentia decani et capituli ecclesiae Cantuar. pro consecrat. episc. etc. Ex reg.
Sheldon fol. 96. a.

REVERENDISSIMO in Christo patri ac domino, domino Gilberto, providentia divina Cant. archiepiscopo, totius Angliae primati et metropolitano, ad infra-scripta, auctoritate parliamenti hujus inclyti regni Angliae, sufficienter fulcito, vestri humiles et devoti, decanus et capitulum ecclesiae cathedralis et metropoliticae Christi Cant. omnimodam obedientiam et reverentiam tanto reverendissimo patri debiti cum honore. Licet antiquitus fuerit salubriter ordinatum, haecenusque in et per totam vestram provinciam Cant. inconcussè observatum, quod quilibet ecclesiae vestrae Cant. praedictae suffraganeus in eadem vestra metropolitana ecclesia Cant. et non alibi consecrari et benedici consueverit et debuerit, nisi de consensu totius vestri Cantuar. capituli fuerit obtent. ut suffraganeus hujusmodi alibi quam in ecclesia vestra praedicta consecrari et benedici valeat; ut tamen venerandus vir Guido Carleton, S. T. P. decanus de Carlisle, Bristol. ecclesiae electus, post confirmationem suam, in quacunque infra provinciam Cant. ecclesia, oratorio, vel capella vestro arbitrio eligend. et assignand. extra ecclesiam vestram Cant. provinciam praedict. consecrari et benedici possit, nostrum ad hoc tenore praesentium consensum pariter et assen-

sum benigne concedimus et praebemus; recepta prius ab eodem electo cautione sufficienti, quod hujusmodi gratia sive licentia nostra specialis sibi in hac parte facta, nobis vel ecclesiae vestrae et nostrae praedict. in nullum cedat praepjudicium infuturum; atque reservatis nobis loco et vice cappae decent. a quolibet ecclesiae vestrae suffraganeo, ratione et nomine professionis suae eidem ecclesiae de jure et antiqua consuetudine solvend. vigint. solid. secundum praedecefforis vestri domini Matthaei, bonae memoriae olim archiepiscopi, assignationem et ordinationem a dictae vestrae ecclesiae suffraganeis, postea de tempore in tempus observat. promittimusque nos rat. habitur. et grat. quicquid per vos in praemissis actum, gestum, aut expeditum fuerit, juribus, privilegiis, libertatibus, et caeteris ecclesiae vestrae praedictae consuetudinibus in omnibus semper salvis. In cujus rei testimonium nos decanus et capitulum sigillum nostrum commune praesentibus apposuimus. Dat. in domo nostra capitulari vicesimo quarto die mensis Januarii, anno regni domini nostri Caroli secundi, Dei gratia Angliae, Scotiae, Franciae, et Hiberniae regis, fidei defensoris, etc. vicesimo tertio, annoque Domini (stilo Angliae) M.DC.LXXI.

The

Archiepisc. Cant.
GILB. SHELDON 10.

Anno Christi
1672.

Reg. Angliae
CAROL. II. 25.

The archbishop of Canterbury's letter to his suffragans about the encrease of sects, etc.
Ex lib. instrum. episc. Lincoln.

THE king's most excellent majesty being truly sensible, that the growing increase of the prevailing sects and disorders amongst us, proceeds chiefly from the general neglect of instructing the younger sort of persons (or their erroneous instruction) in the grounds and principles of true religion, is therefore pleased to command me, that in his name I require your lordship (and by you the rest of my brethren the bishops of this province) that by yourselves and officers you will at all seasonable time reinforce the execution of such laws and constitutions, as enable us to enjoin the use and exercise of our said catechism. And that (by the most effectual remedies that may be) such as, without licence, either publickly or privately teach school within your lordship's or their jurisdiction, be forthwith proceeded against, ac-

cording to such rules, as are prescribed unto us for their restraint. And to the end that this mischief may be prevented for the future, he moreover strictly chargeth us, that none be admitted to that office without such subscription, oaths, and declaration, as are exactly requisite. But in the mean time I desire that your lordship and they will, with the first conveniency, let me know, how far we are already defective in these particulars, that I may be able to give such satisfaction as hereafter will be necessary. I bid your lordship heartily farewell.

Your lordship's

very affectionate friend and brother,

Lambeth house, Feb. 6.
M.DC.LXXII.

GILB. CANT.

Concilium provinciale Eboracense.

ANTEQUAM Richardus, archiepiscopus Eborum, breve regium dat. 31. Octobris de proroganda synodo provinciali Ebor. ad 5. diem Februarii debitae executioni mandaret, vigore intimationis aut mandati dat. apud Bishopthorpe 3. die Decemb. praelatos et clerum provinciae suae ad comparandum 11. die mensis Decembris in domo capitulari ecclesiae B. Petri Ebor. citavit. Qui illo die congregati, per commissarium archiepiscopi ad 5. diem Februarii, et ab illo die ad 11. mensis Martii, et inde ad 2. diem Aprilis, A. D. M.DC.LXXIII. continuati sunt.

ILLUDESCENTE 2. die Aprilis, synodus provinciae Ebor. in 21. diem mensis Octobris, et inde per breve regium dat. apud Westm. eodem die in 28. diem ejusdem mensis, et deinde per aliud breve dat. 5. Novembris in 8. diem Januarii prorogabatur.

SYNODUS praelatorum et cleri provinciae Ebor. die 8. Januarii, M.DC.LXXIII. in domo capitulari infra ecclesiam metropolitica B. Petri Ebor. congregata, in diem 8. Jan. M.DC.LXXIV. et virtute brevis regii dat. 11. die Novembris in 14. diem mensis Aprilis, A. D. M.DC.LXXV. prorogabatur.

Archiepisc. Cant.
GILB. SHELDON II.

Anno Christi
1674.

Reg. Angliae
CAROL. II. 26.

A proclamation for the discovery and apprehension of Jesuits, seminary priests, and others, that have taken orders from the church and see of Rome.

CHARLES R.

HIS majesty having been informed, that notwithstanding his former orders and proclamations, requiring Jesuits, seminary priests, and others, that have taken orders from the church and see of Rome, and have not since been reconciled to the church of England, to depart the kingdom; yet nevertheless such priests and Jesuits continue and harbour themselves in the city of London and suburbs thereof, and likewise in other parts of this kingdom, to the manifest contempt of his majesty's royal authority, and the laws and religion established: and notwithstanding his majesty's commands, to have the laws against them given in charge in all counties, yet none have of

late been apprehended or discovered. His majesty thereupon of his pious care for the preservation of the protestant religion, and for the prevention of the endeavours of such priests and Jesuits, who seduce his good subjects from the same, hath resolved, that so many of the said priests as can be found, shall be speedily sent away and transported into the parts beyond the seas; and to that end doth (with the advice of his privy council) by this his royal proclamation require and strictly charge and command the justices of the peace of the several counties and cities of this kingdom of England, dominion of Wales, and town of Berwick upon Tweed, at the next quarter, or other general sessions to be held for the said counties and cities respectively; that they and

7 M

every

every of them, and also all and every other person or persons whatsoever do use their utmost endeavour to discover and apprehend such person or persons as they or any of them shall either know, or be credibly informed is, or are priests or Jesuits, or have taken orders from the church or see of Rome, as aforesaid, and that they cause them, or every of them to be brought before the lords of his majesty's privy council, or one of his principal secretaries of state, who are to commit them into safe custody in order to their transportation. And that such discoveries may be the better encouraged, and more effectually pursued, his majesty hath given order to the lord high treasurer of England, to cause speedy payment to be

made unto every person, who shall make discovery of any priest or Jesuit, of the sum of five pounds for every priest or Jesuit so discovered, who shall be thereupon apprehended, and brought to the lords of his majesty's privy council, or one of his principal secretaries of state; and moreover the charges of sending them up shall be and are hereby directed and appointed to be born and paid by the respective sheriffs of the counties, through which they are to pass, who shall have the same allowed unto them, upon passing their accounts in the Exchequer. Given at our palace at Hampton court the tenth day of June, M.DC.LXXIV. in the six and twentieth year of our reign.

Archiepisc. Cant.
GILB. SHELDON 12.

Anno Christi
1674.

Reg. Angliae
CAROL. II. 26.

The archbishop of Canterbury's order of fees for the ostiary of the convocation.
Ex MS. penes Tho. episc. Assaven.

FORASMUCH as information, by way of complaint, hath been lately given us, that some of the upper house in the present convocation, or provincial synod, and divers of the lower house have delayed or denied satisfaction and payment of the accustomed fees and allowances due unto the clerk or actuary, and the huiſſiers or ostiaries there, for their constant service and attendance for many sessions, and successive prorogations, during the continuance thereof; we have now thought fit, and by these presents do declare, and expressly order, that every person and member of our said convocation, upon modest request to him or them in

that behalf made, do and shall pay or cause to be paid unto him, and them, our said officers, all such fees and arrearages of fees, as have been and are respectively due unto them, in regard of such their service and attendance as aforesaid, according to an ancient table thereof made, and yet remaining upon record in the registry of our vicar general; or in default thereof, the names, and qualities of such refusers to be particularly certified unto us, that we may therein take such further course, as reason and justice shall require. Dated at Lambeth this — day of — M.DC.LXXIV.

The king's injunctions sent by the duke of Monmouth to the university of Cambridge about the clergy's wearing their hair and perukes, and about preaching without book. Ex autographo apud episc. Assaven.

Mr. vicechancellor and gentlemen.

HIS majesty having taken notice of the liberty, which several persons in holy orders have taken to wear their own hair and perukes of an unusual and unbecoming length, hath commanded me to let you know, that he is much displeased therewith, and strictly enjoins that all such, who do profess the study of divinity, do for the future wear their hair in a manner more suitable to the gravity and sobriety of their profession, and that distinction, which was always maintained between the habits of men devoted to the ministry, and other sons.

And whereas his majesty is informed, that the practice of reading sermons is generally taken up by the preachers before the university, and therefore sometime continued even before himself; his majesty hath commanded me to signify to you his pleasure is, that the said preaching, which took beginning with the dis-

orders of the late times, be wholly laid aside, and that the aforesaid preachers deliver their sermons both in Latin and English by memory or without book, as being a way of preaching his majesty judges most agreeing to the use of all foreign churches, to the custom of the university heretofore, and the nature and intendment of that holy exercise.

And that his majesty's commands in the premises may be duly regarded and observed, his royal pleasure is, that the names of all such ecclesiastical persons, as shall wear their hair as heretofore, in an unfitting imitation of laymens fashions, or that shall continue the present supine, and slothful way of preaching, be from time to time signified unto me by the vicechancellor of the university for the time being, on pain of his majesty's displeasure.

Having in obedience to his majesty's will, signified thus much unto you, I shall not doubt of your ready compliance; and the rather because his majesty intends to send the same injunctions

junctions to the university of Oxford very speedily, whom I am assured you will equal as in all other excellencies, so in obedience to the king; especially when his commands tend so much to the honour and glory of that renown'd uni-

versity, whose welfare is so heartily desired, and shall always be endeavoured by

Your friend and chancellor,

Newmarket, Oct. 8.

MONMOUTH.

Archiepisc. Cant.
GILB. SHELDON 12.

Anno Christi
1674.

Reg. Angliae
CAROL. II. 27.

Orders and resolutions taken by the king in council against papists and conventicles
Feb. 3. M.DC.LXXIV.

His majesty was pleased this day in council to declare, that he found it necessary that the laws, which were made for the safety and preservation both of church and state, should be put in execution with more care and diligence, than of late they have been; and that having long since commanded his judges to do their duty herein, he had also lately advised with several of his bishops, and upon due consideration of the whole matter, had resolved, and doth therefore order,

I. That the convictions of popish recusants be encouraged, quickned, and made effectual; and to this end his majesty's attorney general is required forthwith to inform himself, what convictions are already certified into the Exchequer, and to cause speedy process to issue upon them. And it is further ordered, that letters be forthwith sent from this board, directed to the justices of peace within the several counties, cities, and places of this realm, thereby requiring them with all speed to certify into the Exchequer such convictions as are perfected, and to certify his majesty's attorney general what convictions of popish recusants are preparing, and what hinders the compleating of them, and whether any persons of quality, who are suspected to be popish recusants, have been omitted to be presented, and what obstructions they find therein. And his majesty declares, that upon due information thereof, care shall be taken that they may be speedily removed.

II. And his majesty doth declare his further pleasure, and doth strictly charge and command, that no person or persons, of what quality and condition soever he be, do presume to say mass in any part of this kingdom, the chapels of the queen's majesty, and the chapels of the foreign ministers only excepted. And to prevent all extraordinary resort to those chapels, it is further ordered and declared, that if any person or persons shall presume to repair to those chapels, not being a menial servant of her majesty, or of such foreign ministers, and shall there willingly hear mass, every such offender shall suffer the forfeiture of one hundred marks, and one year's imprisonment, as by law is provided. And for the better discovery of such offenders, his majesty's third part of the said penalty shall be also given to the informer for his further reward and encouragement. And moreover all officers are required to apprehend such offenders, and to cause them to be examined and proceeded with according to law.

And all mayors, justices of peace, and other officers and ministers, to whom it shall and may appertain, are also ordered and required to cause diligent search and enquiry to be made into all other places, where they shall hear or suspect that mass is privately celebrated, to the end that the offenders may be brought to condign punishment.

III. And his majesty doth command and forewarn all persons born within any of his majesty's dominions, who have taken orders by any authority derived from the church or see of Rome, and are now remaining in any part of this kingdom, and out of prison (except Mr. John Huddleston, who was eminently serviceable to his majesty in his escape from Worcester) that they depart the realm before the five and twentieth day of March next ensuing, and that they presume not to return again, nor any other such priests to come over after that day; his majesty declaring, that he will cause the utmost penalties of the law to be inflicted upon the contemners of this his command; and Mr. attorney general is required to prepare a proclamation accordingly. And his majesty doth also command all such priests, who have taken such orders, and do pretend a privilege to attend upon the queen's majesty, or upon foreign ministers, to depart this kingdom likewise by the time before appointed, and to leave the court within fourteen days after notice of this order, whereof publication shall be forthwith made, by causing the same to be affixed upon the court gates, and in such other places as shall be thought convenient.

IV. And his majesty doth further forewarn and command all his subjects, that they presume not to send any person or persons to be educated in any popish colleges, or seminaries beyond the seas; and if any notice or information can be given of any, that have been already sent, and are there still remaining; his majesty declares, that he will give order for a privy seal to be directed unto them, and thereby to command them to return home with all speed, as they will answer the contrary at their peril. And if the parents or guardians of such person so educated abroad be living and within his majesty's dominions, his majesty will also command such parents or guardians to send for their children or pupils home, and cause them to return, upon peril of suffering the utmost penalties of the law in that case provided.

V. And if any of his majesty's natural born subjects,

subjects, being papist, or reputed papist, shall presume to come into his majesty's palace at Whitehall, or St. James's, or into any other place, where his majesty's court shall be, contrary to his majesty's late prohibition; his majesty declares, that he will punish that contempt with exemplary severity, according to the quality of the offender, who, if he be a peer of the realm, shall be sent to the tower, if under that quality, to some other prison.

VI. And his majesty doth further order and appoint, that effectual care be taken for the suppression of conventicles: and whereas divers pretend licences from his majesty, and would support themselves by that pretence, his majesty declares, that all his licences were long since recalled, and that no conventicle hath any authority, allowance, or encouragement from his majesty.

Archiepisc. Cant.
GILB. SHELDON 12.

Anno Christi
1675.

Reg. Angliae
CAROL. II. 27.

Synodus provincialis Eboracensis.

ADIE 14. mensis Aprilis, in quem synodus provinc. Ebor. continuata fuerat, per breve regium dat. 10. Junii in 14. Octobris, et per a-

liud breve dat. 23. Novemb. anno regni xxvii. in 16. diem mensis Februarii, anno regni xxix. A. D. M.DC.LXXVI. prorogabatur.

Andreae Olzowski, archiepiscopi Gnesnensis, literae ad Gilbertum, archiepiscopum Cantuar. de privilegiis archiepiscopatus Gnesnensis et Cantuariensis. Ex reg. Sheldon.

Reverendissimo ac illustrissimo domino, amico colendissimo, domino Gilberto, archiepiscopo Cant. totius Angliae primati ac metropolitano; regiae majestati a secretioribus consiliis, univ. Oxon. cancellario.

Reverendissime et illustrissime domine, amice colendissime.

CUM nonnulli idonei homines rogatu meo susceperint negotium investigandi privilegia antiqua celeberrimae et primatialis in Anglia Cant. ecclesiae, audaciam sumpsi compellendi desuper illustrissimam et reverendissimam dominationem vestram. Licet enim ignoti, et religione diversi, tantoque terrarum ac maris spatio divisi agamus; plurimum tamen confido de celebrata illustrissimae ac reverendissimae dominationis vestrae humanitate, eam in extrahendis mihi per copiam auctenticam privilegiis, praesertim legationis natae, quibus ecclesia Cant. caeteris in Anglia cathedris, antequam Romanae ecclesiae nuncium remisisset, praestabat et praefulgebat, atque nunc praefulget, haud gravate demonstratum iri. Concessum olim erat anno M.D.xv. privilegium legationis natae a Leone decimo papa archiepiscopis Gnesnensibus, primatibus Poloniae, tali verborum contextu: "Concedentes, ut omnibus et singulis privilegiis, libertatibus, praeceminentiis, exemptionibus, immunitatibus, honoribus, et gratiis uti ac gaudere, ac quod omnia et singula facere, et exercere, ac mandare, ordinare, et exequi, quae ad legatos natos, et hujusmodi legationis officii-

um habentes, quomodolibet pertinent; et quae alii legati nati, praesertim vero legatus Cant. in provinciis suis de jure, privilegio, et consuetudine mandare, facere, et exequi possint, libere et licite valeant," etc. sed quarum ex causa privilegium ipsum ecclesiae Cant. super legatione nata serviens, antecessores mei non requirerint, five illud incuria hominum aut injuria temporum deperierit, mihi non constat. Reperio aliqua vestigia in auctoribus maximae praerogativae archiepiscoporum Cant. ex ipso tamen fonte hauriendum duco, quod in commodum, honorem, et jus meum utiliter derivem. Quod si ab illustrissima et reverendissima dominatione vestra impetravero, plurimum ejus benevolentiae, et praestito mihi officio obstrictus vivam, ac omnibus, si quae dantur, occasionibus promptitudine mea rependere conabor. De reliquo, illustrissimae et reverendissimae dominationi vestrae cupio me esse commendatissimum; eidem longaevam valetudinem cum omnimoda prosperitate ex animo apprecando. Datum Lovitii in arce mea archiepiscopali die 11. Julii, M.DC.LXXV. Reverendissimae ac illustrissimae dominationi vestrae addictissimus amicus et servorum paratissimus.

ANDR. OLZOWSKI, archiep. Gnesnens.

Sigilli circumferentiae inscribitur: Andreas Olzowski, Dei gratia archiepiscopus Gnesnensis, legatus natus regni Poloniae, et magni ducatus Lithuaniae primas, primusque princeps.

Responsio

Archiepisc. Cant.
GILB. SHELDON 13.

Anno Christi
1676.

Reg. Angliae
CAROL. II. 28.

Responsio Gilberti, archiepiscopi Cantuar.

Reverendissime et illustrissime domine.

QUAMPRIMUM de privilegiis antiquis ecclesiae Cant. praesertim legationis natae, a reverendissima et illustrissima dominatione vestra quaesitum fuerat, idoneis quibusdam in mandatis statim dedimus, ut archiva et vetustiora sedis nostrae monumenta consulerent. Verum cum ejusmodi fere omnia non tantum injuria temporum, sed etiam malitia nequiorum hominum aut consumpta aut distracta non amplius compareant, difficilior, et eo tardior erat inquisitio. Responsione autem nostra utcumque demum parata, reverendissimae et illustrissimae dominationis vestrae literarum lator spem nostram longius fefellit. Ille namque diutius expectatus, hucusque non rediit; adeo ut de alio quaerendo necessario nobis prospiciendum foret. Haec itaque in mora cum fuerint, ne existimet reverendissima et illustrissima dominatio nos aut amicitiae aut benevolentiae officio interim defuisse, aut defuturos fore, rogamus et obtestamur. Licet enim ignoti (ut illustrissimae et reverendissimae dominationis vestrae verbis utamur) tantoque terrarum et maris spatio divisi agamus, in religionis insuper negotio non prorsus consentientes (quod unice dolendum, cuique calamitati ut Deus suo tempore finem aliquando det, ipsum quotidie veneramur) eadem tamen conjuncti vivimus humanitate, affectuque (uti speramus) eo sumus, qui inter christianos omnes, praesules praesertim, esse debet fraternus. Accipiat ergo, si placeat, illustrissima et reverendissima dominatio vestra, hanc quae sequitur notitiam sedis nostrae Cant. ejusque privilegiorum.

Quamquam ecclesia Britannica ab apostolis ipsis, aut saltem viris apostolicis sub primis evangelii initiis fundata, per plura exinde secula nullae peregrinae jurisdictioni subdita certissimo praescriptionis jure, necnon synodi Nicenae et Ephesinae decretis *ἀντικεφαλίαν* sibi vendicet, unde ejusdem primates pari potestate dioecesi suae praeerant, qua alii quicumque, sive orientis, sive occidentis, patriarchae fruebantur; tamen siquidem de privilegiis a Romana ecclesia sedi Cant. concessis impraesentiarum unice requiratur, et speciatim quibus auspiciis arch. Cant. legatus natus audiat, dicendum videtur: Jus illud a Gregorii Magni temporibus repetitum; epistola vero Formosi papae (quae passim extat) agnitum esse et confirmatum. Is enim ad Angliae episcopos scribens, haec habet: “Qui inter vos principatum tenere debeat; quaeve sedes episcopalis caeteris praepolleat, habeatque primatum abolitaneis temporibus, notissimum est. Nam ut ex scriptis beati Gregorii ejusque successorum tenemus, in Doroberniae civitate metropolim sedemque primam episcopalem constat esse regni Anglorum; cui venerabilis frater noster Pleimundus nunc praeesse dignoscitur;

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cujus honorem dignitatis nos nullo pacto imminui permittimus, sed ei vices apostolicas per omnia gerere mandamus. Et sicut Gregorius papa primo gentis vestrae episcopo Augustino, omnes Anglorum episcopos esse subjectos constituit, sic nos praenominato fratri Doroberniae five Canterberiae archiepiscopo, ejusque successoribus legitimis, eandem dignitatem confirmamus; mandantes, et auctoritate Dei, et beati Petri apostolorum principis praecipientes, ut ejus canonicis dispositionibus omnes obediant; et nullus eorum, quae sibi suisque successoribus apostolica auctoritate concessa sunt, violator existat. Si autem quivis hominum contra haec aliquando niti, ac imminuere ista tentaverit, sciat se proculdubio multandum fore gravi anathemate, et a corpore sanctae ecclesiae, quam inquietare molitur, perpetuo, nisi resipuerit, separandum.” Hinc factum, ut cum postea legati in Angliam Romae mitterentur, Henricus I. Angliae rex, una cum episcopis se opposuerit; “Provocans (ut verbis Baronii utar in anno M.C.XVII.) ad antiqua privilegia, quod scil. Cant. archiepiscopi fungerentur officio legationis sedis apostolicae, ex privilegio sancti Gregorii papae illi ecclesiae concessio; ob idque diceret in Angliam alium non esse mittendum legatum; sed satis esse debere vice pontificis Romani esse ibi semper legatum ipsum Cant. archiepiscopum.” Quae lis vario cum successu deinceps agitabatur, prout reges Angliae, pontifices Romani, et archiepiscopi Cant. animis, opibus, ingenio, et gratia aut valerent, aut destituerentur; donec tandem ab Henrico octavo jurisdictione omni in Anglia Romanus pontifex exueretur. Jura vero et privilegia, quibus sedes Cant. perpetuis temporibus hucusque gavisus est, et etiamnum gaudet, [ita] se habent. Totius Angliae primas et metropolitani audit; primus regni par; proceribus quibuscunque nisi ex prole regia superior; titulo Clementiae insignitur; regem in coronatione inaugurat; episcoporum sibi subditorum electiones confirmat, et eorundem consecrationi praest; illorum in regimine episcopali errata et negligentias corrigit; iisque infirmis coadjutores assignat; provinciales synodos convocat; convocatas moderatur; ultimum in iis fert suffragium; appellationes admittit ab inferioribus iudicibus, omisso medio; per totam provinciam potestatem visitatoriam exercet; vacante quavis sede episcopali, custodiam habet ecclesiasticae jurisdictionis ad eam spectantis; ex praerogativa habet, ut approbet et insinuet testamenta; concedat ab intestato succedentibus administrationes bonorum cujuslibet habentis, mortis tempore, in diversis provinciae suae dioecesebus, vel jurisdictionibus bona notabilia; literas tuitorias concedit, per quas ei, qui appellaverit, absque molestia interea ei exhibenda appellationem suam prosequi liceat; dispensat cum valetudinariis puerperis, se-

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nio confectis, aut aegrotis, ut carnibus in jejuniis solennibus vescantur; cum nupturis, ut matrimonium celebrent temporibus, et locis ex jure communi interdictis; in causis beneficiabilibus praestat, ut irregularitas absque dolo malo contracta, et simoniacus quandoque ambitus aboleantur; ut beneficium vacans fiduciario titulo (quem Commendam vocant) ad tempus, vel durante vita, concedatur; ut beneficiatus ad aliquod tempus (ob idoneam aliquam causam) residere non teneatur; laicus literis operam navans praebendam; presbyter duo beneficia curata possit retinere; denique penes eum est in omnibus causis, verbo Dei non repugnantibus, et quibus in curia Romana dispensatio obtineri solet, canonum gratiam facere, et in eisdem dispensare. Quae jura et privilegia non modo in se prorsus notoria, praxi continua, immemoriali consuetudine, canonum sacrorum decretis, et usu

fori vigent; sed eorum pleraque legibus regni municipalibus sancita et confirmata existunt, ita ut de iis lis nulla aut controversia moveri possit.

Haec sunt, quae de jure et privilegiis ecclesiae Cant. et legationis natae titulo, quatenus de iis apud nos aliqua supersunt vestigia, ad illustrissimam et reverendissimam dominationem vestram transmittenda curavimus. Faxit Deus ut in ecclesiae et reverendissimae dominationi vestrae commodum cedant et honorem. Interea valeat clementia vestra, vosque ut sospitet Deus optimus maximus, et omni felicitate coronet animus apprecamur. Datum ex palatio nostro archiepiscopali de Croydon 11. Julii, M.DC.LXXVI. Reverendissimae et illustrissimae dom. vestrae amicus et servus paratissimus,

GILBERTUS CANT.

Archiepisc. Cant.
GILB. SHELDON 13.

Anno Christi
1676.

Reg. Angliae
CAROL. II. 28.

The archbishop of Canterbury's letter to the bishop of London concerning the number of dissenters.

Right reverend and my very good lord.

I HAVE thought fit for some reasons, me thereunto especially moving, to pray and require your lordship (and by you the rest of my brethren the bishops) that forthwith, upon receipt hereof, you send letters both to your archdeacons and commissaries within your respective dioceses, willing and straitly charging them, that as well by conference with the ministers, as churchwardens of each parish within their jurisdiction, or such others as may best give them the most punctual satisfaction, they particularly inform themselves as to the several points and queries hereafter mentioned; and that having gain'd the most certain information therein that they are able, they presently after their next visitation of Easter ended, transmit their account thereupon in writing, unto their several dioceses, and they unto your lordship, to be communicated to me with your first convenience. And to the end that they may be the more circumspect and sudden in the performance of this business, I think it not unnecessary that there be some advertisement intimated unto them, that the matters enquired of, may nearly concern them in the exercise of their jurisdictions. So not doubting of your lordship's care in the premisses, etc.

The enquiries are these that follow:

First, What number of persons, or at least families, are by common account and estimation inhabiting within each parish subject unto them?

Secondly, What number of popish recusants, or such as are suspected for recusancy, are there among such the inhabitants aforesaid?

Thirdly, What number of other dissenters

are resident in such parishes, which either obstinately refuse, or wholly absent themselves from the communion of the church of England at such times, as by law they are required?

It cannot be unknown unto your lordship, and the rest of my brethren the bishops, by what artifices and insinuations the established doctrine and discipline of the church of England hath been both heretofore and now lately impugned; and amongst other specious pretences, the consideration of the number of dissenters hath been an argument much insisted upon, as if their party were either too formidable to be suppressed, or that the combination of the several factions being infinite, it were but lost labour to reinforce the censure and execution of the laws provided against them. For manifestation of which groundless and untrue assertion, and other important reasons, me thereunto moving, I have thought fit at this time to pray and require your lordship. . . . And so soon as I shall receive satisfaction as to the particulars, I shall be able from the fact itself to unmask and lay open the prejudices and misapprehensions, wherewith some unwary persons are abused by the designs of our adversaries. I shall I hope justify the diligence, zeal, and integrity of both myself and brethren, in the management of the charge committed to our care. And lastly, having done this, I do not doubt but the pretended increase of schism and superstition will no longer be imputed to our easiness or inadvertency, and the just number of dissenters being known, their suppression will be a work very practicable, if they be not emboldened by the countenance of other authority than ourselves.

Archiepisc. Cant.
GILB. SHELDON 14.

Anno Christi
1676.

Reg. Angliae
CAROL. II. 28.

Convocationes provinciarum Cantuar. et Ebor.

CONVOCATIO praelatorum et cleri provinciae Cantuar. ad diem mensis Februarii 16. in ecclesia cathedr. S. Pauli London. summonita fuit per breve regium et mandatum archiepiscopi Cantuar.

IN provincia Eborac. synodus praelatorum et cleri a 16. die mensis Februarii, hujus anni, diem 16. Februarii, anni sequentis M.DC.LXXVII. prorogabatur.

SYNODUS provinc. Ebor. a 16. die Februarii anni M.DC.LXXVII. usque in 15. diem mensis Februarii anni sequentis prorogabatur.

A DIE 15. mensis Februarii, M.DC.LXXVIII. synodus provinc. Ebor. per breve regium datum 16. die Julii, in 2. diem Augusti, et inde in 30. ejusdem mensis per aliud breve dat. 2. Augusti, prorogata fuit, donec per breve reg. dat. 12. Februarii, anno regni xxxi. dissolveretur.

Archiepisc. Cant.
GILB. SHELDON 15.

Anno Christi
1677.

Reg. Angliae
CAROL. II. 29.

Resolutions taken by his majesty for the better regulating the choice of chaplains for the future service of his ships at sea. Ex MS. penes Thom. episc. Assaven.

CHARLES R.

I. THAT no person whatsoever shall be for the future admitted on board any of his majesty's ships, in the quality of chaplain to the said ship, or be held capable of receiving either the pay of ordinary seamen, allowed by his majesty, or the contribution of four pence per man a month, ordinarily granted by the seamen towards the maintenance of the person performing the duty of chaplain on board any of his majesty's said ships, unless the said person shall be first appointed to the said office of chaplain by his majesty's special warrant on that behalf, and that warrant produced as well to the commander of the said ship, as the comptroller of his majesty's navy, for the justifying the former in his entertaining, and the latter in his paying the said person in the aforesaid quality of chaplain.

II. That no person shall be deemed capable of his majesty's said warrant for the constituting him chaplain to any of his ships, who hath not first delivered to the secretary of the admiralty, for his majesty's satisfaction, a written certificate under the hand of his grace the archbishop of Canterbury, or the lord bishop of London, for the time being, testifying their being satisfied in the piety, learning, conformity, and other the qualifications of the said person fitting him for the said charge.

III. That as any of his majesty's ships shall be appointed for the sea, the secretary of the admiralty shall timely signify to his grace the said archbishop, or the lord bishop of London the names and rates of the said ships, the num-

bers of men to be borne on them, and the names of their respective commanders, in order to their lordship's proposing to his majesty fitting persons for taking charge of the said ships as chaplains, and their giving to the said persons the certificates before required; provided always, that where the commander of any of the said ships shall make it his humble suit to his majesty, that a particular person, who hath been at any time, within the space of three years before, approved of and certified for, by either of the lords the bishops before named, may be appointed to the place of chaplain on board his said ship; his majesty is pleased to resolve, and doth hereby accordingly declare his pleasure, that in that case the said commander shall be gratified in the choice of this chaplain, and upon the commanders said request, and evidence brought of the said person's having been so before approved of by the said lords the bishops, his royal warrant shall be issued for the constituting the said person chaplain of the said ship, without any new approval or certificate to be obtained from either of the said lords the bishops.

And all persons concerned in these his majesty's resolutions are hereby required in their several places strictly to conform themselves hereto. Dated at Whitehall this 15th day of December, M.DC.LXXVII.

Rupert.	Arlington.
Anglesey.	G. Carteret.
Danby.	J. Williamson.
Craven.	J. Ernle.

Dire-

Archiepisc. Cant.
GUIL. SANCROFT I.

Anno Christi
1678.

Reg. Angliae
CAROL. II. 30.

Directions from the archbishop of Cant. to his suffragans concerning testimonials to be granted unto candidates for holy orders, dated from Lambeth house Aug. 23. M.DC.LXXVIII.

"**S**ALUTEM in Christo." My lord. Whereas the easy and promiscuous granting of letters testimonial (which is in itself a sacred thing, and in the first intention of great and very weighty importance) is by the lapse of time and the corruption which by insensible degrees is crept into the best institutions, come to be both in the universities and elsewhere abroad in the dioceses a matter of meer formality, and piece of common civility, scarce denied to any that asked it, and many times, upon the credit of the first subscriber, attested by the rest, who have otherwise no knowledge of the person so adorned; or else, where more conscience is made of bearing false witness even for a neighbour, is done so perfunctorily, and in so low and dilute terms, as ought to signify nothing at all to the great end, for which 'tis designed to serve; and yet is sometimes with a like easiness and remissness, received and proceeded upon; whereby great mischiefs in the church and scandals daily ensue, persons altogether undeserving, or at least not duly qualified, being too often, upon the credit of such papers, admitted into holy orders, and in consequence thereupon thrusting themselves into employments of high trust, and dignity, and advantage in the church, and by their numerous instructions preventing and excluding others of greater modesty and merit: concerning all which, you lordship cannot but remember, how many and how great complaints we meet with both from our brethren the bishops, and others, during the late session of parliament, and what expedients for remedy thereof were then under debate and consideration among us. Now, as the result of those counsels, and for the effectual redressing of those inconveniences, and preventing the like for the future (though it would be abundantly sufficient to call all persons concerned, on both sides, to the serious perusal of, and exact compliance with those excellent constitutions and canons ecclesiastical, made in the year M.DC.III. which have most wisely and fully provided to obviate all these evils) yet because in the modern practice they seem not duly to be attended to, it is thought fit and necessary again to limit and regulate the grant, the matter, and the form of testimonials as followeth: "Videlicet,"

That no letters testimonial be granted only upon the credit of others, or out of a judgment of charity, which believes all things, and hopes all things, but from immediate and personal knowledge, and that own'd and express'd in the letters themselves.

That (as to the form of these letters) every such testimonial have the date, both as to time and place, expressly mentioned in the body of it,

before it be subscribed by any, and pass also (as the canon requires, under our hand and seal; those namely from the universities, under the common seal of their respective colleges, attested by the subscription of the master, head, or principal person there, and those from other places, under the hands and seals of three priests at the least, of known integrity, gravity, and prudence, who are of the voisinage, where the person testified of, resides, or have otherwise known his life and behaviour by the space of three years next before the date of the said letters.

And as to the matter of them, that they particularly express the present condition of the person, in whose behalf the testimony is given; his standing and degree in the university; his place of present abode, and course of life; his end and design, for which he would make use of the said testimonial; whether for obtaining the order of deacon or priest, or the employment of a parson, vicar, curate, or schoolmaster, and that the subscribers know him to be worthy, and in regard of learning, prudence, and holy life, duly qualified for the same respectively: and if he desires holy orders, his age too, if the subscribers know it, or else that they admonish him to bring it otherwise credibly and sufficiently attested. Lastly, if such testimonial be to be made use of in another diocese, than that, where it is given; that it be by no means received without the letters dimissory of the bishop, or other ordinary of the place, attesting in writing the ability, honesty, and good conversation of the person commended, in the place from whence he came.

My lord, this is (I think) the sum of what was discoursed and resolved between us, when we were last together. I therefore desire you, with all convenient speed, to cause copies thereof to be transcribed and transmitted to the several bishops of this province, and vicechancellors of the universities respectively, and to be by them communicated (as soon as may well be) to as many as are herein concerned, that they may not be disappointed by coming furnished with such testimonials only, as will not, nor ought to be received to such great purposes, for which they are so often made use of. Commending your lordship and your great affairs to the blessing of God almighty, I remain,

My lord, your lordship's

assured loving brother,

Ex schedula soluta impressa
anno M.DC.LXXVIII.

W. CANT.

The

The king's order about fees at consecration of BISHOPS. 601

Archiepisc. Cant.
GUIL. SANCROFT I.

Anno Christi
1678.

Reg. Angliae
CAROL. II. 30.

The king's order about fees at consecration of bishops. Ex MS. penes Thom. episc. Aflaven.

By the king's most excellent majesty in council.

WHEREAS formerly it hath been a custom, upon the consecration of all bishops, for them to make presents of gloves to all persons that came to their consecration dinners, and others, which amounted to a great sum of money, and was an unnecessary burden to them; his majesty this day taking the same into his consideration, was thereupon pleased to order in council, that for the future there shall be no such distributions of gloves; but that in lieu thereof, each lord bishop before his consecration shall hereafter pay the sum of 50. l.

to be employed towards the rebuilding of the cathedral church of St. Paul. And it was farther ordered, that his grace the lord archbishop of Canterbury do not proceed to consecrate any bishop, before he hath paid the said sum of 50. l. for the use aforesaid, and produced a receipt for the same from the treasurer of the mony for rebuilding the said church, for the time being; which as it is a pious work, so will it be some ease to the respective bishops, in regard the expence of gloves did usually far exceed that sum.

PHIL. LLOYD.

A proclamation for the confinement of popish recusants within five miles of their respective dwellings.

CHARLES R.

THE king's most excellent majesty having been informed of the dangerous and wicked plots and designs of popish recusants against his majesty's royal person and government, and tending to the subversion of the true protestant religion established by law within this his realm, doth (with the advice of his privy council) by this his royal proclamation strictly charge and command all persons being above the age of sixteen years, born within any of his majesty's realms or dominions, or made denizens, who being popish recusants, have been, or shall be thereof lawfully convicted, that they and every of them do (according to the statutes in that behalf made) repair to their respective places of abode; and if they have no places of abode, then to the places, where the father or mother of such respective persons is, or shall be then dwelling, and do not at any time thereafter remove or pass above five miles from thence, upon pain that the offenders shall lose and forfeit to the king's majesty all their goods and chattels, and also all their lands, and tenements, rents, annuities, and hereditaments, during their respective natural lives. And because many popish recusants, who are notoriously known, or reputed to be such, have notwithstanding by the connivance or negligence of those, by whom they ought to have been prosecuted, escaped conviction, and yet may be (by their concurrence and contrivances) as dangerous to his majesty, his government, and the true protestant religion, as those who are actually convicted; his majesty doth hereby further straitly charge and command all his judges, justices, magistrates, ministers, and officers, that if any popish recusant, or person reputed so to be, though not convicted, being above the age of eighteen years, shall not repair to his or her place of abode,

and there continue without removing or passing above five miles from thence, that then such popish recusants, or persons reputed to be so respectively, shall be prosecuted and brought to punishment as well by tendering unto them the oaths of allegiance and supremacy, and taking advantage of their refusal thereof, as by putting in execution the severest laws, which are now in force against them. And his majesty doth hereby further signify to all his loving subjects, that upon certificate made to the lord chancellor of England by any justice of the peace, that there are any popish recusants, or persons reputed to be such, who do not give their obedience to this his majesty's royal proclamation, together with the names of such offenders, his majesty hath commanded the said lord chancellor to issue forth respective commissions under the great seal of England to the justices of the peace of the several counties, cities, and liberties, from which such certificates shall come, to require and authorize them, or any two of them respectively to tender and administer the said oaths to the said offenders accordingly. Provided that nothing herein contained, shall be construed to command any popish recusant convicted, or any other popish recusant, or person reputed to be such, to come within ten miles of the cities of London or Westminster, or to require any of the persons aforesaid to repair to their places of abode, or other the places aforesaid, who are restrained by imprisonment, or disabled by such sickness, as they shall not be able to travel without imminent danger of life, during the respective times of such imprisonment or disability; or to confine any such persons within the said space of five miles from the places aforesaid, who shall be (according to the laws and statutes of this realm) allowed or licensed to travel, or remove from thence; so that

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their

602 *Proclamation for the confinement of RECUSANTS, etc.*

their travelling, attending, and returning by warrant. Given at our court at Whitehall pretence of such allowance or licence, be no the tenth day of November, M.DC.LXXVIII. in longer, or otherwise than by the said statutes is the thirtieth year of our reign.

Archiepisc. Cant.
GUIL. SANCROFT 1.

Anno Christi
1678.

Reg. Angliae
CAROL. II. 30.

Orders given the sixth of December, M.DC.LXXVIII. by the king in council against the papists.

WHEREAS his majesty and this board are informed of the bold and open repair made to several places, and especially to her majesty's chapel at Somerset house, and the houses of foreign ambassadors, agents, and other public ministers, for the hearing of mass, and other worship and service of the Romish church; and that the said ambassadors, agents, and ministers do permit and suffer both daily masses to be said, and other worship and service to be performed in their houses in a public manner by English, Scottish, and Irish priests, and also sermons in English to be preached in their said houses and chapels, which the laws and statutes of this kingdom do expressly forbid his subjects to frequent or do; his majesty taking the same into serious consideration, and being sensible thereof, as a matter highly tending to the violation of the laws of the realm, and the scandal of religion and government, and breach of good order, and in his princely wisdom weighing the consequence thereof, is resolved to take strict order for the stopping this evil, before it spread any further.

His majesty therefore, by the advice of his council, doth hereby forbid any of his said subjects hereafter to offend in the like kind at their utmost perils; and straitly commands, that no others presume to resort to her majesty's chapel, but such as are her majesty's allowed servants. And to the end this provision and order may be more effectual, his majesty doth command, that forasmuch as concerneth the repair to the houses of foreign ambassadors, agents, and ministers, at the time of mass, or other Romish worship or service, some messengers of the chamber, or other officers or persons, fit for that service, be appointed to watch at the several passages to their houses, and without entering into the said houses, or invading the freedom and privileges belonging unto them, observe such persons as go thither at such times, without stopping or questioning any as they go thither, but at their coming from thence, they are to apprehend and bring the said persons before some justice or justices of the peace, to

have the oaths of allegiance and supremacy tendered to them; and such as they cannot apprehend, to bring their names to this board. And that the ambassadors and other foreign ministers may have no cause to complain for this proceeding, as if there were any intention to wrong or disrespect them, his majesty doth likewise order, for the preventing of any such mistaken and sinister interpretation, that his principal secretaries of state (according unto his majesty's express commands now given unto them) should be hereby authorized and required forthwith to certify the said ambassadors, agents, and other foreign ministers his majesty's pleasure concerning the same; and that as his majesty is careful not to have any of the just privileges and immunities of the said ambassadors, agents, or ministers to be in any degree infringed or violated, so in the aforesaid particulars of permitting masses or other service to be said by any of the said priests, or sermons to be preach'd in English in their houses or chapels (things not heard of in the times of his majesty's predecessors) or in suffering his subjects to resort unto them, his majesty is no less careful of preserving his laws, and continuing his subjects in their obedience to the same; and doth therefore expect the said ambassadors, agents, and ministers compliance accordingly. And hereof his majesty thinks fit, that notice shall be first given to the said public ministers (the rather to testify his respects unto them) before the stricter course his majesty hath resolved be taken with his own subjects, by a vigorous prosecution and infliction of penalties and punishments for the preventing and repressing the like hereafter.

And it is likewise ordered, that the messengers of the chamber, or others to be employed in the service before specified, shall be appointed, and receive their charge from the lord archbishop of Canterbury, the lord bishop of London, and the said secretaries, or some of them, who are to take special care to see this put in due and effectual execution.

Archiepisc. Cant.
GUIL. SANCROFT 2.

Anno Christi
1679.

Reg. Angliae
CAROL. II. 31.

Convocatio praelatorum et cleri provinciae Cantuar.

CONVOCATIO praelatorum et cleri provinciae Cantuar. per breve regium ad diem tertium mensis Aprilis in ecclesia S. Pauli London. summonita fuit.

Sub initium hujus convocationis breve regium,

mandatum archiepiscopi, et certificatorium episcopi London. legebantur, et prolocutor Edwardus Stillingfleet electus praesentabatur; ast nihil in ea actum est, praeterquam quod per diversas continuationes de die in diem virtute alius

CONVOCATIO PRAELATORUM ET CLERI PROV. CANT. 603

lius brevis regii prorogata fuerit, donec 15. die Augusti auctoritate regia fuisset dissoluta. Rursus ea per breve regium 18. die mensis Novembris congregata, per tres sessiones nihil scitu di-

gnum tractavit: ac deinde 31. die Januarii prorogabatur in diem 16. mensis Aprilis, anno M.DC.LXXX.

Archiepisc. Cant.
GUIL. SANCROFT 2.

Anno Christi
1679.

Reg. Angliae
CAROL. II. 31.

Synodus provincialis Eboracensis.

SYNODUS provincialis Eboracensis virtute brevis regii summonebatur ad comparendum 3. die mensis Maii, M.DC.LXXIX. et post diversas continuationes de die in diem per aliud breve die Lunae 25. Augusti dissolvebatur. Alia

synodus prov. Ebor. vigore brevis regii 18. Octobris hujus anni M.DC.LXXIX. inchoata, et saepius continuata sedit 2. die Decembris, anno Dom. M.DC.LXXX. quid autem ibidem actum sit, haud constat.

Order of council concerning clergymen that serve abroad. April. 25. at the court of Whitehall. Ex MS. penes Tho. episc. Aflaven.

By the king's most excellent majesty in council.

HIS majesty taking into consideration the great encouragement, that it would be to persons in holy orders to serve him in their function either at sea, or in his foreign plantations, if they might be permitted to hold their fellowships or benefices, during their absence; was this day in council pleased to order, and it is hereby accordingly ordered, that all such

persons in holy orders, that now are abroad, or hereafter shall go to sea, or to any of his majesty's plantations, or with ambassadors or public ministers beyond sea, shall (during such their absence in their said employments) have and enjoy the full profits of their fellowships or benefices, and at their return home, re-enter upon them again; whereof all persons concerned are to take notice, and govern themselves accordingly.

A Proclamation for the more effectual discovery of Jesuits, and of all estates belonging to them, or to any popish priests, college, seminary, or other popish and superstitious foundation.

CHARLES R.

WHEREAS his majesty was graciously pleased by his royal proclamation dated the twentieth day of November, M.DC.LXXVIII. to promise a reward of twenty pounds to any person, who should discover and apprehend any popish priest or Jesuit, as in the said proclamation is express'd, whereof his majesty hath found good effect, and hopes, more will follow by the due putting thereof in execution; however his majesty having been lately more fully informed of the pernicious practices of the Jesuits, and that divers of them do still lie lurking and disguised within this his majesty's realm of England, contriving and carrying on their traitorous plots and designs against his majesty's person, and government, and the protestant religion by law established; his majesty is therefore graciously pleased by this his royal proclamation to add to the reward formerly promised, and doth hereby promise to him or them, who shall discover and apprehend, or cause to be apprehended any Jesuit, the sum of eighty pounds besides the former twenty pounds, in all one hundred pounds, which shall be immediately paid upon the conviction of such Jesuit. And his majesty doth hereby appoint the lords commissioners of his treasury, or the lord high treasurer of England to pay the same accord-

ingly without delay or abatement. And his majesty is further graciously pleased to declare, that whosoever shall discover any estate, real or personal, belonging to any Jesuit or Jesuits, or college, or seminary of Jesuits, or to any popish priest, college, seminary, convent, or nunnery of popish and superstitious foundation (except the same be issuing out, or part of the estate and estates of Sir Thomas Preston, Sir John Warner, two thousand five hundred pounds charge upon the estate of Henry Nevil esquire, and fifteen hundred pounds in the hands of Augustine Hungate, which are lately discovered, and now under examination before the lords commissioners of the treasury) shall have one full moiety thereof. And his majesty doth hereby straitly charge and command all his judges, justices of the peace, magistrates, officers, and other loyal subjects whatsoever within his realm of England, dominion of Wales, and town of Berwick upon Tweed, that they use their utmost care and endeavours to discover, apprehend, and commit, or cause to be committed to safe custody, in order to their trial, all Jesuits and priests, as by his said former proclamation is commanded. Given at our court at Whitehall the twelfth day of November, M.DC.LXXIX. in the one and thirtieth year of our reign.

A pro-

604 *Proclam. commanding papists to depart from LONDON, etc.*

Archiepisc. Cant.
GUIL. SANCROFT 2.

Anno Christi
1679.

Reg. Angliae
CAROL. II. 31.

A proclamation commanding all papists, or reputed papists forthwith to depart from the cities of London and Westminster, and from within ten miles of the same.*

CHARLES R.

WHEREAS the papists, notwithstanding several acts of parliament to the contrary, do presume upon the expiration of his majesty's royal proclamation, bearing date the fourth of May last, commanding their departure and absence for six months, to repair at this present to the cities of London and Westminster in great numbers; the king's most excellent majesty is therefore graciously pleased to revive and continue his said former proclamation, and doth by this his royal proclamation strictly charge and command all papists, and persons reputed papists, and such as have been so within six months last past, that they and every of them do forthwith depart from the said cities of London and Westminster, and from all places within the distance of ten miles of the same; and that they or any of them do not presume to return again, upon any pretence whatsoever, within the space of six months from the date of these presents. And lest they or any of them should do the contrary upon pretence of any licence formerly granted by any of the lords or others of his majesty's privy council, his ma-

jesty doth hereby declare, that he hath caused all licences of that nature formerly granted by any of the lords or others of his privy council, to be revoked. And his majesty doth hereby further straitly charge and command all and every justices of the peace, constables, and others his officers and ministers of justice within his said cities, or either of them, and within ten miles of the same, that they do make strict search and enquiry for, and with all vigour proceed against all and every person and persons, who shall be found within the said cities of London and Westminster, and within ten miles of the same, during the said space of six months, contrary to the effect of any of the statutes, and the purport of this his majesty's proclamation. Provided that nothing herein contained shall be construed to extend to any person or persons, who being formerly of the popish religion have fully conformed to the protestant religion, in such manner, as is by law appointed, nor from the time of their respective conformity, to such, as shall hereafter in like manner conform themselves. Given at our court at Whitehall the third day of December, M.DC.LXXIX. in the one and thirtieth year of our reign.

A proclamation for the more effectual suppressing of popery.

CHARLES R.

HIS majesty being sensible of the great increase of popery within this kingdom of late years, by reason of the neglect of putting in execution those good laws, which were provided for suppressing the same, whereby Jesuits and priests have been emboldened to resort hither from parts beyond the seas, in great numbers, and they and others have openly practised to assert the most pernicious and damnable principles of that religion, and to persuade and withdraw divers of his majesty's good subjects from their obedience to his majesty, and to reconcile them to the pope and see of Rome; and that, notwithstanding the good laws made to restrain the same, it hath been the general practice of the papists to send their children and relations into foreign parts, to be bred up in popery; by which bold and wicked practices, and the impunity that hath followed thereupon, his majesty apprehends that many of his good subjects may be ignorant of the said laws; and therefore hath thought fit by this his royal proclamation, by the advice of his privy council, to publish and make known the principal and most penal of the said laws, as well to prevent and hinder any of his loving subjects from being misled in-

to any the said offences through ignorance, as to guide and encourage all persons knowing of any such offences, to a legal prosecution of the same. The substance of the said laws is as followeth.

By writing, printing, preaching, teaching, deed, or act, or by any speech to set forth, maintain, or defend the authority or jurisdiction or power of the bishop of Rome, or his see, heretofore claimed, used, or usurped within this realm, or to attribute any such manner of jurisdiction, authority or preeminence, to the said see of Rome, or to any bishop of the said see for the time being, or to aid, assist, and comfort any in doing the same: the first offence is "praemunire," the second offence is made high treason by v. Eliz. cap. I.

To receive, relieve, comfort, aid, or maintain any Jesuit, seminary priest, or other priest, deacon, or religious or ecclesiastical person made by any authority, power, or jurisdiction derived, challenged, or pretended from the see of Rome, being at liberty, or out of hold, knowing him to be such, is felony without benefit of clergy xxvii. Eliz. cap. II.

By the statute xxiii. Eliz. I. it is high treason to withdraw any of the king's subjects to the Romish religion, to the intent to withdraw them from their natural obedience to the

* Aliud edictum huic simile divulgabatur quarto die Octobris, anno sequenti M.DC.LXXX.

king

king; and it is high treason in the persons so willingly withdrawn; and all aiders, abettors, and concealers thereof knowingly are guilty of misprision of treason.

To put in practice to absolve, persuade, or withdraw any of his majesty's subjects of this realm of England from their natural obedience to his majesty, or to reconcile them to the pope or see of Rome, or to move them to promise obedience to any pretended authority to the see of Rome, or to any other prince, state, or potentate, is high treason by the statute of 3 Jac. cap. 4. whether done upon the seas, or beyond the seas, or in any other place within his majesty's dominions.

To be willingly absolved or withdrawn in manner aforesaid, or to be willingly reconciled, or to promise obedience to any such pretended authority, prince, state, or potentate, or to procure, counsel, aid, or maintain such offenders, knowing the same, is likewise made high treason by the same statute.

For any person under the obedience of the king to pass or go, or to convey, or send, or cause to be sent or conveyed any child or other person out of any of the king's dominions into any the parts beyond the seas out of the king's obedience, to the intent and purpose to enter into, or be resident or trained up in any priory, abby, nunnery, popish university, college or school or house of Jesuits, priests, or in any private popish family, and to be there by any Jesuit, seminary priest, friar, monk, or other popish person instructed, persuaded, or strengthened in the popish religion, in any sort to profess the same;

Or to convey or send, or cause to be conveyed or sent by the hands or means of any person whatsoever any sum or sums of money, or other thing, towards the maintenance of any child, or other person, gone or sent, or to go or be sent, and trained and instructed, as aforesaid; or under the name or colour of any charity, benevolence, or alms, towards the relief of any priory, abby, nunnery, college, school, or any religious house whatsoever;

All persons offending, being convicted, are

disabled to use any action, bill, plaint, or information in course of law, or to prosecute any suit in any court of equity, or to be committee of any ward, or executor or administrator to any person, or capable of any legacy or deed of gift, and forfeit all goods and chattels, and all lands, tenements, hereditaments, rents, annuities, offices, and estates of freehold, for and during their natural lives, by the statute of 3 Car. cap. 2.

For the more precise knowledge of which laws, and all other laws made for suppressing the growth of popery, in case his majesty's loving subjects cannot conveniently have the printed statutes, or cannot well interpret the same, they are to resort to any of his majesty's judges, justices of peace, or other magistrates, who are hereby required and commanded upon all occasions to guide and direct them therein. It being his majesty's resolution, that all the said laws shall be strictly put in execution.

And his majesty doth hereby further charge and command all and every his loving subjects, that in case any person shall by any discourse or disputation offer to maintain the pope's authority or jurisdiction, or to persuade or pervert them to the popish religion, or that they know any person guilty of any the offences aforesaid, or any other offences against the laws to depress popery, that they do immediately reveal the same to some magistrate, that the offenders may be prosecuted and punished according to their demerits.

And for the better encouraging of all persons that shall do their duty herein, his majesty will be graciously pleased by his letters of privy seal, to enable all his judges of his several courts at Westminster to reward all prosecutors upon the said laws, or other laws made for suppressing the growth of popery, according to their discretions, out of such forfeitures as shall from thence accrue to his majesty, over and above what is already by the said laws or any of them allotted to the informer. Given at our court at Whitehall the one and twentieth day of December, M.DC.LXXIX. in the one and thirtieth year of our reign.

Archiepisc. Cant.
GUIL. SANCROFT 4.

Anno Christi
1680.

Reg. Angliae
CAROL. II. 33.

Convocatio praelatorum et cleri provinciae Cantuar.

Hoc anno per septendecim sessiones convocatio praelatorum et cleri prov. Cantuar. continuata, die 21. mensis Januarii dissolvebatur, ac nihil memoratu dignum nobis reliquit. Non

longe post per breve regium 22. die Martii iterum inchoata, vix duas sessiones habuit, ac sexto die Aprilis, anno M.DC.LXXXI. per aliud breve dissoluta fuit.

The archbishop of Canterbury's letter to the bishop of London about the augmentation of vicarages and curacies. Ex autographo penes Tho. episc. Assaven.

MY LORD.

THE patrimony of the church (especially in the smaller vicarages) hath been so long and so often by unjust customs and otherwise

invaded, and by degrees daily more and more diminished; and the little that is left of the old endowment, so likely by the same arts to be swallowed up and lost, that we have reason to bless God, who at the king's happy restu-

ration put it into his heart by his letters to command us, upon the renewing of church leases, to make farther reservations beyond the old rent for the augmenting the livelihood of poor vicars and curates; which being done, he also past a law for the confirming and perpetuating such augmentations. After which pious care and provision, it would be an indelible blot upon us, if we should be found to have finally neglected any act enjoined us by that statute, whereby the payment of those augmentations is directed to be evidenced and secured. And yet (with grief I write it) I think I have ground to fear, that what in obedience to that excellent law ought to have been done by us above three years since, in order to so pious a purpose, is not to this day by us all universally performed. And therefore I desire your lordship to communicate this my letter to all our brethren, the bishops of this province, by them to be transmitted to their respective deans, archdeacons, and prebendaries, strictly requiring them, upon receipt hereof, to have

recourse to the said act of parliament, and forthwith, punctually, and effectually to perform what is therein enjoined them. And when that is done, to the end I may be assured that at last it is done, that every bishop, dean, and archdeacon send me a particular of all the augmentations respectively by them made or by their predecessor, with the names of the parishes, and the sum so reserved to the use of the incumbents, subscribed with their own hands; that so I may know what hath been done herein throughout the whole province. My lord, I doubt not of your lordship's readiness to promote so good a work; which with your good lordship and all your great affairs I commend to God's blessing, and remain

Your lordship's

most affectionate friend and brother,

Lambeth house, Feb.
2. M.DC.LXXX.

W. CANT.

Archiepisc. Cant.
GUIL. SANCROFT 4.

Anno Christi
1681.

Reg. Angliae
CAROL. II. 33.

The archbishop of Canterbury's letter to the bishop of London concerning prosecution of Popish recusants, according to the canons of king James, LXV. LXVI. CXIV. Ex MS. penes Thom. episc. Aflaven.

Right reverend lord and brother.

His majesty having yesternight in council (to the great satisfaction and joy of us all) declared his royal will and pleasure, that all papists and popish recusants throughout the realm be forthwith vigorously prosecuted, and the laws of the land made against them effectually put in execution, to the end that by such wholesome severity (so seasonable and necessary at this time) they may by God's blessing upon his majesty's pious intentions, and the endeavours of his good subjects, in pursuance of the same, be either reduced into the bosom of the church, or driven out of the kingdom; I could not but immediately reflect how highly it concerns, and how well it may beseem me and my brethren, and all that are entrusted with the manage of any jurisdiction under us, to contribute all we can; and particularly what the laws of the land, and the canons of the church require of us, for the promoting and accomplishing (if it may be) so good a design, which tends so manifestly to the glory of God, the honour of his majesty's government, the prosperity and flourishing estate of that excellent religion, by the peculiar blessing of heaven established among us, and the quiet and

tranquillity of the whole realm. I have therefore thought fit at present (till other and further methods may be debated and resolved on) to require all the bishops within this province, and every of them, and I do hereby require them, that those three canons against popish recusants, agreed upon in the synod begun at London A. D. M.DC.V. namely the LXVth, LXVIth, and the CXIVth be by them, and all that hold or exercise any jurisdiction under them, forthwith exactly observed and effectually put in ure; considering how acceptable a service it will be to almighty God to assist his majesty's pious purpose herein, and on the other side, how severe a punishment the last canon of the three appoints to those, who shall neglect their duty herein, which will (I doubt not) without partiality or connivance be inflicted on them. My lord, my request to your lordship is, that you will not only take notice of all this yourself, but cause a copy hereof, by you attested, to be transmitted to every bishop of this province, in the name of

Your affectionate brother,

April 9. M.DC.LXXXI.

W. CANT.

The

Archiepisc. Cant.
GUIL. SANCROFT 4.

Anno Christi
1681.

Reg. Angliae
CAROL. II. 33.

The humble address of the university of Cambridge protesting their loyalty and their zeal for religion; presented to the king at Newmarket by Dr. Gower, vice-chancellor. Sept. 18. M.DC.LXXXI.

SIR.

WE your majesty's most faithful and obedient subjects of the university of Cambridge have long with the greatest and sincerest joy, beheld what we hope is in some measure the effect of our own prayers, the generous emulation of our fellow subjects, contending who should first and best express their duty and gratitude to their sovereign, at this time especially, when the seditious endeavours of unreasonable men have made it necessary to assert the ancient loyalty of the English nation, and make the world sensible, that we do not degenerate from those prime glories of our ancestors, love and allegiance to our prince.

That we were not earlier seen in those loyal crowds, but chose rather to stand by and applaud their honest and religious zeal, we humbly presume will not be imputed to the want of it in ourselves, either by your majesty; for it is at present the great honour of your university, not only to be steadfast and constant in our duty, but to be eminently so, and to suffer for it, as much as the calumnies and reproaches of factious and malicious men can inflict upon us: and that they have been hitherto able to do no more than vent the venom of their tongues; that they have not proceeded to plunder and sequestration, to violate our chapels, rifle our libraries, and empty our colleges, as once they did, next to the overruling providence of almighty God, is only due to the royal care and prudence of your most sacred majesty.

But no earthly power, we hope, no menaces or misery shall ever be able to make us renounce or forget our duty. We will still be-

lieve and maintain, that our princes derive not their title from the people, but from God; that to him only they are accountable; that it belongs not to subjects either to create or censure, but to honour and obey their sovereign, who comes to be so by a fundamental hereditary right of succession, which no religion, no law, no fault, or forfeiture can alter or diminish.

Nor will we ever abate of our well instructed zeal for our most holy religion, as it is professed and established in the church of England, that church that hath so long stood, and is still the envy and terror of her adversaries, as well as the beauty and strength of the reformation.

It is thus that we have learned our own, and thus we teach others their duty to God, and their prince; in the conscientious discharge of both which we have been so long protected and encouraged by your majesty's most just and gracious government, that we neither need nor desire any other declaration, than that experience for your assurance, and security for the future.

For all which grace and goodness we have nothing to return. We bring no names, and seals, no lives, and fortunes well capable of your majesty's service, or at all worthy of your acceptance. Nothing but hearts, and prayers, vows of a zealous and lasting loyalty; ourselves and studies, all that we can, or ever shall be able to perform, which we here most sincerely promise, and most humbly tender at your majesty's feet, a mean and worthless present; but such an one as we hope will not be disdained by the most gracious and indulgent prince, that heaven ever bestowed upon a people.

The king's warrant concerning ecclesiastical affairs. Ex MS. penes Tho. episc. Assaven.

CHARLES R.

HAVING taken into our serious consideration, how much it will conduce to the glory of God, our own honour, and the welfare both of church and universities, that the most worthy and deserving men be preferred and favoured according to their merit; and being satisfied that the lord archbishop of Canterbury, John earl of Radnor, George earl of Halifax, Lawrence viscount Hyde, the lord bishop of London, and Edward Seymour Esq; are proper and competent judges in such cases; we have thought fit, and do hereby declare our pleasure to be, that neither of our princi-

pal secretaries of state do at any time move us on the behalf of any person whatsoever, for any preferment in the church, or any favour, or dispensation in either of our universities, without having first communicated both the person and the thing, by him desired, unto the said lord archbishop of Canterbury now, and for the time being, John earl of Radnor, George earl of Halifax, Lawrence viscount Hyde, the lord bishop of London, now, and for the time being, and Edward Seymour Esq; and without having the opinion and attestation of them, or any four of them in the case. And if at any time we be moved in like manner by any other person whatsoever; our pleasure

sure is, and we do hereby declare, that neither of our principal secretaries shall present any warrant unto us for our royal signature in such a case, until the said lord archbishop of Canterbury, John earl of Radnor, George earl of Halifax, Lawrence viscount Hyde, the lord bishop of London, and Edward Seymour Esq; have been acquainted therewith, and have given their opinion and attestation as aforesaid. And to the end that this our declaration may stand as a lasting and inviolable rule for the

future; our further pleasure is, that the same be entered not only in both the offices of our said principal secretaries, but also in the signet office, there to remain as upon record. Given at our court at Windsor the 12th day of August, M.DC.LXXXI. in the xxxiii. year of our reign.

By his majesty's command.

L. JENKINS;

Archiepisc. Cant.
GUIL. SANCROFT 6.

Anno Christi
1683.

Reg. Angliae
CAROL. II. 35.

Certain orders treated and agreed upon by the right reverend father in God William, lord bishop of St. Asaph, and the whole clergy of his diocese, at a synod begun at St. Asaph the fourth day of July, anno Domini M.DC.LXXXIII. Ex MS. penes Tho. episc. Aflaven.

For the more decent and orderly administration of the holy offices, it is proposed, ordained, and agreed, as hereafter followeth.

I. Concerning the sacrament of the Lord's Supper.

I. Whensoever the sacrament of the Lord's supper is to be administered, the bread and the wine shall be viewed and approved on some week day before by the minister; and on the day of celebration, the bread shall be decently cut by the minister before prayers, and then a sufficient quantity of that wine, together with the bread so cut, prepared, and proportioned to the number of communicants, is to be set on the table, covered with a napkin, immediately before the prayer for the church militant, and nothing else to be suffered to stand on the table. And that always on the Lord's day before the minister shall give notice of the administration of the communion, and shall then require every one, that intends to receive, that he shall give in his name to the minister on some day in the week, before he comes to communicate. And if any one shall neglect to give in his name, and yet come to the communion, the minister shall take notice of every such person, and shall within ten days at farthest give in their names to the rural dean, to the end that they may be transmitted to the bishop.

II. That in case the minister shall see any reason to fear, that any of those, that have given in their names, hath not knowledge of those things that are necessary to be known, in order to the due performance of this duty, that then the minister shall take all possible care to instruct him, before he comes to receive. And to the end that none may want a general instruction, the minister shall, at least twice in the year, preach upon that subject of preparation for the sacrament, or shall read those two homilies in Welsh, entituled "Of Common Prayer, and sacraments, and of the worthy receiving of the sacrament."

III. That in case any person, who hath given public scandal to the church, and especially

if he be under any presentment for such an offence, shall presume to offer himself to communicate, the minister, as soon as he comes to understand it, shall privately admonish him to abstain from the sacrament, till he hath cleared himself of that scandal. And if nevertheless such a scandalous person shall go in that presumption to communicate, the minister shall acquaint the churchwardens therewith, to the end that they may cause him to withdraw. And if either they shall neglect their duty, or the scandalous person shall not withdraw, yet he shall be past by in the administration. And that upon every such case that may happen, the minister shall give notice thereof to the bishop within ten days, as is required by the rubric before the communion office in the Common Prayer book.

II. Concerning baptism.

I. The baptismal font is to be kept always clean, and the water is to be renewed before every ministration of baptism.

II. Whensoever there is any private baptism, it shall be certified publickly according to the rubric of that office in the liturgy.

III. Concerning burial.

I. That at all burials, the minister, in his surplice, go no further to meet the corps, than the gate of the churchyard.

II. That no unbaptized person, no "felo de se," or excommunicate be buried with the office. And that no "felo de se" be interred in the church, or churchyard, in any case. And that no excommunicate person be interred there, without special leave of the bishop.

IV. Of excommunication and absolution.

That for the denouncing of persons to be excommunicated in any parish, letters, under the seal of the court, shall be directed to the minister of the parish, and thereupon the said minister shall make serious application in private to such person or persons, so to be denounced, and endeavour to persuade him or them,

them, by their speedy submission to the ordinary, to prevent such denunciation; and for this work, the minister shall have one whole week's time allowed him: if he prevail, he is to suspend the denunciation, and to signify the reason to the court with all convenient speed; but in case his endeavour takes no effect, that then, with the usual certificate of the execution of such letters, he certify also such previous notice, and private admonition given to such person or persons, as aforesaid. And in case the minister believes that the party to be denounced, hath any particular prejudice against him, then he is speedily to inform the bishop thereof, to the end he may employ some other person to give that charitable admonition, as aforesaid.

For the denouncing any person excommunicate in any judicial cause, it shall suffice, that the minister publish the excommunication in the usual form, that being a sufficient ground for a "significavit," in case the person do not submit in forty days.

When any person is decreed to be excommunicate for any criminal cause, there shall be three Sundays allowed for his denunciation, as follows.

On the first Sunday there shall be read by the minister of the parish, after the Nicene creed, the first form prescribed, to desire the prayers of the congregation for that person to implore the grace and mercy of God to bring him to repentance.

On the second Sunday there shall be read by the minister of the parish the second form prescribed, which form shall also be read in the parish church of every parish adjoining to that, in which the said person liveth; then the minister shall ask if there be any present, who can shew any reasonable cause, why the denunciation ought to be farther delayed, than the next Lord's day? if any person answers and says, he hath such cause, the minister shall admonish him to shew it to the bishop within that week.

On the third Sunday, if there be no cause alleged to the contrary, there shall be read by the said minister, and also in every neighbouring parish, as aforesaid, and the church of the next market town, the third form, which is prescribed for denunciation, and then also there shall be a sermon preached in the said parish church by a minister, whom the bishop shall appoint for that purpose.

Whosoever is thus excommunicate, is to be denounced again once every quarter in his parish church, and the church of the next market town, and the neighbouring parish, and the cathedral.

When any clergyman is excommunicated, and does not submit within one month, he shall be denounced excommunicate in every church in the diocese, and a roll of the name of such, if any be, shall be published once a year in the cathedral, and every parish church and chapel within the diocese.

The minister of every parish is to keep a book by him both of excommunications and absolution, that he may know who are, and

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who are not in church communion among his parishioners. And if one that is under excommunication remove out of his parish, then if the remove be out of his diocese, the incumbent shall speedily give notice thereof to the bishop, informing him into what place the person is removed; but if he be gone into any other parish in this diocese, then the minister of that parish, in which he was denounced, shall certify the minister, into whose parish he is removed, who thereupon shall enter the name into his book, as an excommunicate person, and shall declare it publicly, after the Nicene creed, on the next Lord's day after the receipt of such certificate; and as oft as any one shall be denounced, there shall be read, immediately after, the roll of all those persons, that remain under excommunication in that parish.

That all absolutions in criminal causes, except where the bishop reserves them to himself, shall be decreed to be performed by the minister of the parish. And that where any penance is to be performed, the said minister is to have notice of it a fortnight before, which notice shall be given him by the penitent, or else the minister to give him no certificate of his performance. And that when the performing of a penance is fully certified to the court; a commission shall be directed to the minister of the parish to give absolution, as aforesaid.

The minister may absolve any one "in articulo mortis," in case he believes him to be truly penitent, without a special commission.

That as often as it shall appear to the minister, that any penitent hath any eminent change wrought in him, especially if it be such as may be of great and useful example to others in the like case, he shall, immediately after the Nicene creed, stir up the people to render due thanks to almighty God, in a form prescribed for that purpose, to be read after the Nicene creed, as aforesaid.

V. *Concerning the observation of the Lord's day.*

The ministers are to take all possible care, that the Lord's day be better observed than generally it is, and frequently to mind the wardens of their duty, both in hindering all profanations of the Lord's day, as much as in them lies, and also in presenting all offenders in this particular; and they shall present the wardens themselves, in case they shall nevertheless be found negligent in their duty.

VI. *Concerning the admitting and swearing of wardens.*

None shall be hereafter sworn churchwarden of any parish, before his due election be certified to the court by the incumbent of the parish, as well as by the wardens then being; and when there is a necessity of granting a commission for administering this oath, it shall be directed to the incumbent, or some other beneficed minister, because such are upon their oaths, having sworn canonical obedience to the bishop.

7 Q

VII. *Con-*

VII. *Concerning the residence of the clergy.*

That the clergy be mindful, that they are not only obliged to reside within their respective parishes, but to dwell in the houses, which belong to their churches respectively, unless they have leave from the bishop to do otherwise, which is not to be obtained but upon weighty reasons, and giving good security against dilapidations. And he that shall presume to do otherwise, without the bishop's leave first had, shall be incapable of it after.

VIII. *Concerning a terrier.*

That every incumbent be obliged to bring in to the registry of the bishop, before the 25th day of March next ensuing, a terrier, fairly written upon parchment, of his glebe, and a description of the buildings situate thereupon, with the numbers of bays and several dimensions of them, together with a perfect inventory of the books, the plate, vestments, and other utensils of the church; and if all tithes are not paid in kind, how many, and what the "modi decimandi" prescribed to; and which are anciently and beyond hopes of being destroyed, and which yet within memory, or at least disputable: what right the minister hath yet in the church, as to seats and burying places left unprejudiced by prescriptions of the laity; and how much of the repair of the church, and fence of the churchyard lies upon

the rector or vicar, and how much upon the parish in general, and how much upon particular estates, and what are the shares: and what seats are erected within the chancel, and how anciently. This terrier with these enlargements is to be published in the church, and afterwards to be subscribed by the minister and churchwardens, and others of greatest note in the parish.

IX. *Concerning gifts to charitable uses.*

That the bishops receive at, or before the 25th day of March next a particular account from every parish by the procurement of their minister, what charitable gifts, bequests, or legacies in lands, mony, or goods are disposed, and continued, according to the intentions of the donors or legators; and what concealed, defalked, or perverted within memory. And that as oft as there is a collection upon any brief, there shall be entered by the hand of the respective minister in a book to be kept for that purpose, the day of the receipt of every such brief, the time when it was published, and the particular sums collected; and that upon payment of such collections, the respective churchwardens shall take receipts for the said payments, and shall file the same, and enter them in the said book, which book and receipts shall be kept in the church chest.

W. ASAPH.

Archiepisc. Cant.
GUIL. SANCROFT 6.

Anno Christi
1683.

Reg. Angliae
CAROL. II. 35.

The judgment and decree of the university of Oxford, passed in the convocation July 21. M.DC.LXXXIII. against certain pernicious books, and damnable doctrines, destructive to the sacred persons of princes, their state, and government, and of all human society.

ALTHOUGH the barbarous assassination lately enterprized against the person of his sacred majesty and his royal brother, engage all our thoughts to reflect with the utmost detestation and abhorrence on that execrable villainy, hateful to God and man, and pay our due acknowledgments to the divine providence, which by extraordinary methods brought it to pass, that the breath of our nostrils, the anointed of the Lord is not taken in the pit, which was prepared for him; and that under his shadow we continue to live, and enjoy the blessings of his government; yet notwithstanding we find it to be a necessary duty at this time to search into, and lay open those impious doctrines, which having of late been studiously disseminated, gave rise and growth to these nefarious attempts, and pass upon them our solemn public censure and decree of condemnation.

Therefore to the honour of the holy and undivided Trinity, the preservation of the catholic truth in the church, and that the king's majesty may be secured both from the attempts of open bloody enemies, and machinations of

treacherous heretics and schismatics; we the vicechancellor, doctors, proctors, and masters, regent and not regent, met in convocation in the accustomed manner, time, and place on Saturday the one and twentieth day of July, in the year M.DC.LXXXIII. concerning certain propositions contained in divers books and writings, published in the English, and also the Latin tongues, repugnant to the holy scriptures, decrees of councils, writings of the fathers, the faith and profession of the primitive church, and also destructive of the kingly government, the safety of his majesty's person, the public peace, the laws of nature, and bonds of human society, by our unanimous assent and consent, have decreed and determined in manner and form following:

I. All civil authority is derived originally from the people.

II. There is a mutual compact, tacit or express, between a prince and his subjects; and that if he perform not his duty, they are discharged from theirs.

III. That

III. That if lawful governors become tyrants, or govern otherwise than by the laws of God and man they ought to do, they forfeit the right, they have unto their government. *Lex rex. Buchan. de jure regni. Vindiciae contra tyrannos. Bellarm. de conciliis, de pontifice. Milton. Goodwin. Baxter's H. C.*

IV. The sovereignty of England is in the three estates, viz. king, lords, and commons. The king has but a coordinate power, and may be over-ruled by the other two. *Lex rex. Hutton, of a limited and mixed monarchy. Baxter's H. C. Polit. Catechif.*

V. Birthright and proximity of blood give no title to rule or government, and it is lawful to preclude the next heir from his right and succession to the crown. *Lex rex. Hunt's Postscript. Doleman's history of succession. Julian the apostate. Mene Tekel.*

VI. It is lawful for subjects, without the consent, and against the command of the supreme magistrate, to enter into leagues, covenants, and associations for defence of themselves and their religion. Solemn league and covenant. Late association.

VII. Self preservation is the fundamental law of nature, and supercedes the obligation of all others, whensoever they stand in competition with it. *Hobbes de cive. Leviathan.*

VIII. The doctrine of the gospel, concerning patient suffering of injuries, is not inconsistent with violent resisting of the higher powers, in case of persecution for religion. *Lex rex. Julian the apostate. Apologet. relat.*

IX. There lies no obligation upon christians to passive obedience, when the prince commands any thing against the laws of our country; and the primitive christians chose rather to die than resist, because christianity was not settled, by the laws of the empire. *Julian the apostate.*

X. Possession and strength give a right to govern, and success in a cause or enterprize proclaims it to be lawful and just. To pursue it, is to comply with the will of God, because it is to follow the conduct of his providence. *Hobbes. Owen's sermon before the regicides, Jan. 31. M.DC.XLVIII. Baxter. Jenkins's Petition, Octob. M.DC.LI.*

XI. In the state of nature there is no difference between good and evil, right and wrong. The state of nature is a state of war, in which every man hath a right to all things.

XII. The foundation of civil authority is this natural right, which is not given but left to the supreme magistrate, upon mens entering into societies. And not only a foreign invader, but a domestic rebel puts himself again into a state of nature, to be proceeded against, not as a subject, but an enemy; and consequently acquires by his rebellion the same right over the life of his prince, as the prince for the most heinous crimes has over the life of his own subjects.

XIII. Every man after his entering into a society, retains a right of defending himself against force; and cannot transfer that right to

the commonwealth, when he consents to that union, whereby a commonwealth is made. And in case a great many men together have already resisted the commonwealth, for which every one of them expecteth death, they have liberty then to join together, to assist, and defend one another: their bearing of arms, subsequent to the first breach of their duty, though it be to maintain what they have done, is no new unjust act; and if it be only to defend their persons, it is not unjust at all.

XIV. An oath superadds no obligation to pacts, and a pact obliges no further than it is credited. And consequently, if a prince gives any indication, that he does not believe the promises of fealty and allegiance made by any of his subjects, they are thereby freed from their subjection; and notwithstanding their pacts and oaths, may lawfully rebel against, and destroy their sovereign. *Hobbes de cive. Leviathan.*

XV. If a people, that by oath and duty are obliged to a sovereign, shall sinfully dispossess him, and contrary to their covenants, chuse and covenant with another; they may be obliged by their latter covenants, notwithstanding their former. *Baxter's H. C.*

XVI. All oaths are unlawful and contrary to the word of God. *Quakers.*

XVII. An oath obligeth not in the sense of the imposers, but the takers. *Sheriff's case.*

XVIII. Dominion is founded in grace.

XIX. The powers of this world are usurpations upon the prerogative of Jesus Christ, and it is the duty of God's people to destroy them, in order to the setting Christ upon his throne. *Fifth monarchy men.*

XX. The presbyterian government is the scepter of Christ's kingdom, to which kings as well as others are bound to submit, and the king's supremacy in ecclesiastical affairs, asserted by the church of England, is injurious to Christ, the sole king and head of the church. *Altare Damascenum. Apologet. relat. Hist. of Indulgences. Cartwright. Travers.*

XXI. It is not lawful for superiors to impose any thing in the worship of God, that is not antecedently necessary.

XXII. The duty of not offending a weak brother is inconsistent with all human authority of making laws concerning indifferent things. *Protestant reconciler.*

XXIII. Wicked kings and tyrants ought to be put to death; and if the judges and inferior magistrates will not do their office, the power of the sword devolves to the people. If the major part of the people refuse to exercise this power, then the ministers may excommunicate such a king; after which it is lawful for any of his subjects to kill him, as the people did Athaliah, and Jehu, and Jezebel. *Buchanan. Knox. Goodman. Gilby. Jesuits.*

XXIV. After the sealing the scripture canon, the people of God in all ages are to expect new revelations for a rule of their actions; and it is lawful for a private man, having an inward

inward motion from God, to kill a tyrant. Quakers and other enthusiasts. Goodman.

XXV. The example of Phineas is to us instead of a command: for what God hath commanded or approved in one age, must needs oblige in all. Goodman. Knox. Napthali.

XXVI. King Charles I. was lawfully put to death, and his murderers were the blessed instruments of God's glory in their generations. Milton. Goodwin. Owen.

XXVII. King Charles I. made war upon his parliament: and in such a case the king may not only be resisted, but he ceaseth to be king. Baxter.

We decree, judge, and declare all and every of these propositions to be false, seditious, and impious; and most of them to be also heretical and blasphemous, infamous to the christian religion, and destructive of all government in church and state.

We further decree, that the books, which contain the aforesaid propositions and impious doctrines, are fitted to deprave good manners, corrupt the minds of uneasy men, stir up seditions and tumults, overthrow states and kingdoms, and lead to rebellion, murder of princes, and atheism itself. And therefore we interdict all members of the university from the reading of the said books, under the penalties in the statutes expressed. We also order the before recited books to be publicly burnt by the hand of our marshal in the court of our schools.

Likewise we order that in perpetual memory hereof, these our decrees shall be entered into the registry of our convocation; and that copies of them being communicated to the seve-

ral colleges and halls within this university, they be there publicly affixed in the libraries, refectories, or other fit places, where they may be seen and read of all.

Lastly we command and strictly enjoin all and singular the readers, tutors, catechists, and others, to whom the care and trust of initiating of youth is committed, that they diligently instruct and ground their scholars in that most necessary doctrine, which in a manner, is the badge and character of the church of England, of "Submitting to every ordinance of man, for the Lord's sake; whether it be to the king as supreme, or unto governors, as unto them that are sent by him for the punishment of evil doers, and for the praise of them that do well." Teaching that this submission and obedience is to be clear, absolute, and without any exception of any state or order of men. Also, that they, according to the apostle's precept, "Exhort, that first of all supplications, prayers, intercessions, and giving of thanks be made for all men; for the king, and all that are in authority, that we may lead a quiet and peaceable life in all godliness and honesty, for this is good and acceptable in the sight of God our saviour." And in especial manner, that they press and oblige them, humbly to offer their most ardent and daily prayers at the throne of grace for the preservation of our sovereign lord king Charles from the attempts of open violence, and secret machinations of perfidious traytors, that the defender of the faith, being safe under the defence of the most high, may continue his reign on earth, 'till he exchange it for that of a late and happy immortality.

Archiepisc. Cant.
GUIL. SANCROFT 8.

Anno Christi
1685.

Reg. Angliae
JACOB. II. 1.

Convocatio praelatorum et cleri provinciae Cantuar.

CONVOCATIO praelatorum et cleri provinciae Cantuar. per breve regium ad 20. diem mensis Maii in ecclesia S. Pauli London summonita, ac peractis sacris de die in diem post 12. sessiones ad 11. diem mensis Maii anni M.DC.LXXXVI. prorogabatur.

Synodus provinc. Ebor. virtute brevis regii dati 14. die Martii, anno regni I. convocata,

non describitur in registris Ebor.

Anno M.DC.LXXXVI. synodus prov. Cantuar. post tres sessiones usque ad 29. Aprilis, M.DC.LXXXVII. prorogabatur.

Et anno M.DC.LXXXVII. post tres sessiones usque ad 23. diem mensis Novembris continuata, dissolvebatur.

Articles for the better regulation of ordinances, and institutions, and other admissions to cure of souls, into which much abuse and many uncanonical practices have lately crept. Ex autographo archiep. Sancroft apud Tho. episc. Assaven.

IT is agreed by and between the archbishop and bishops of the province of Canterbury, and they do hereby mutually and solemnly promise for themselves respectively to one another as followeth:

I. That they will henceforth ordain no man deacon, except he be 23. years old, unless he have a faculty; which the archbishop

declares he will not grant, but upon very urgent occasion; nor priest unless he be full and complete 24. years old, as it is indispensibly required in the preface to the book of ordination; nor unless the canonical age be either by an extract out of the register book of the parish, where the person to be ordained was born, under the hands of the minister and churchwardens there, or if no register be kept or found there, by

by some other means sufficiently attested.

II. That they will not admit or institute any person, who hath been formerly ordained, to cure of souls, unless it appear by a like testimonial, that when he was ordained, he was of canonical age; none but those who are so ordained being by the late act of uniformity and the statute 13 Eliz. c. 12. § 5. capable to be admitted to any benefice with cure.

III. That they will ordain no man deacon or priest, who hath not taken some degree of school in one of the universities of this realm, unless the archbishop in some extraordinary case, and upon the express desire and request of the bishop ordaining, shall think fit to dispense with this particular, the person, so to be dispensed with, being in all things else qualified, as the said 34th canon requires.

IV. That they will ordain none but such, as either have lived within their respective dioceses for the three years last past, and are upon their own personal knowledge, or by the testimony of three of the neighbouring ministers, whom they think fit to rely upon, found to be worthy of what they pretend to, or else do exhibit sufficient and authentic testimony thereof from the bishop or bishops, within whose jurisdiction they have resided for the three last years, or from some college in one of the universities, in which they are, or lately have been gremials; to the end, that there may be (by one or more of these methods) sufficient moral assurance to the bishop, by competent witnesses, of the good life and conversation of the persons to be ordained, for full three years last past, as the said canon requires. And the archbishop doth declare, that he will not give any man, beneficed in one diocese, a faculty to take and hold a benefice in another, unless the bishop, in whose diocese he is already beneficed, doth give him a fair dimission and testimony, together with his express consent to that very purpose.

V. That they will admit none to holy orders but such as are presented to some ecclesiastical preferment then void in that diocese, or have some other title specified and allowed in the 33^d canon; among which a curacy under a parson or vicar, during his pleasure, is not to be accounted to be one, unless that parson or vicar doth under his hand and seal, and before witnesses oblige himself to the bishop both to accept that person "bona fide" (when he shall be ordained and licensed by the bishop) to serve under him, and assist him, and also to allow him such salary, as the bishops shall approve of, so long as he shall continue doing his duty there; and lastly, not to put him out of that employment, but for reasons to be allowed by the bishop.

VI. That they will ordain no man, who hath a title allowed by the canon, if the benefice, to which that title relates, lie within another diocese, except he exhibit letters dimissory from the bishop, in whose diocese his title and employment is.

VII. That they will ordain no man, but upon

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the Lord's days; immediately following the "jejunia quatuor temporum," except he have a faculty to be ordained "extra tempora;" and such a faculty, the archbishop declares, he will not grant, but upon very urgent occasion, as (for instance) if one, who is not in full orders, be presented to some benefice; for of it since the late act of uniformity he is not capable, till he be ordained priest.

VIII. That they will ordain no man (of what qualities or gifts soever) both deacon and priest in one day, nor any man priest, until he shall have continued in the office of a deacon the space of a whole year, and behaved himself faithfully and diligently in the same. And if upon urgent occasion, it shall for reasonable causes seem good unto the bishop to shorten that time, yet even in that case, there being four times of ordination in the year, he shall give the deacon's order in the end of one Ember week; and (if the case may bear that delay) the priests order not till the next ensuing; or in the utmost necessity, not till the Sunday, or holyday next following; and that too not without a faculty. But in the same day none shall be made both deacon and priest, that some decent shadow at least, or footstep of so ancient and laudable a practice may be however retained and observed amongst us.

IX. That they will ordain none, but such as shall, a full month before the day of ordination, bring or send to the bishop notice in writing of their desire to enter into holy orders, together with such certificate of their age, and such testimonials of their behaviour and conversation, as are above required; to the end, that the bishop may (if he think fit) make farther enquiry into all particulars, and also give open monitions to all men to except against such, as they may perhaps know not to be worthy, as it is expressly required by that excellent canon M.D.LXIV. and may be performed, as otherwise, so generally by affixing a schedule of the names of the candidates upon the doors of the cathedral, for as long time before, as they are given in: nor any, but such as shall also repair personally to the bishop in the beginning of the Ember week, or on Thursday in that week, at the latest, to the end, that there may be time for the strict and careful examination of every person, so to be ordained, both by the archdeacon, and by the bishop himself, and such other as shall assist him at the imposition of hands, or he shall think fit to employ herein; and that they may also be present in the cathedral, and observe the solemn fast, and join in the solemn prayers, which are at that time to be put up to God in their behalf.

X. Lastly, That some time in the week, after every ordination, whether "intra," or "extra tempora," the bishop ordaining shall send a certificate under his hand and seal, attested by the archdeacon, and such other clergymen, as assisted at the ordination, containing the names and surnames of all the persons then ordained, the place of their birth, their age, the college where

where they were educated, with the degree they have taken in the university, the title upon which they are ordained, and upon whose letters dimissory, if they came out of another diocese; to which shall be subjoined a particular account of all such as then offer'd themselves to ordination, and were refused, as also of the reasons, for which the bishop refused them. All which the archbishop doth undertake and

Archiepisc. Cant.
GUIL. SANCROFT 10.

Anno Christi
1687.

promise to cause to be entred into a lieger book for that purpose, to the end that it may be, as it were "ecclesiae matricula" for this province.

W. Cant. William Norwich.
W. Afaph. Fran. Ely.
Tho. Bath et Wells.

Reg. Angliae
JACOB. II. 3.

King James the second his gracious declaration to all his loving subjects for liberty of conscience.

JAMES R.

IT having pleased almighty God not only to bring us to the imperial crown of these kingdoms through the greatest difficulties, but to preserve us by a more than ordinary providence upon the throne of our royal ancestors; there is nothing now, that we so earnestly desire, as to establish our government on such a foundation, as may make our subjects happy, and unite them to us by inclination as well as duty. Which we think can be done by no means so effectually, as by granting to them the free exercise of their religion for the time to come, and add that to the perfect enjoyment of their property; which has never been in any case invaded by us since our coming to the crown. Which being the two things men value most, shall ever be preserved in these kingdoms, during our reign over them, as the truest methods of their peace and our glory. We cannot but heartily wish, as it will easily be believed, that all the people of our dominions were members of the catholic church; yet we humbly thank almighty God, it is, and hath of long time been our constant sense and opinion (which upon divers occasions we have declared) that conscience ought not to be constrained, nor people forced in matters of meer religion: it has ever been directly contrary to our inclination, as we think it is to the interest of government, which it destroys by spoiling trade, depopulating countries, and discouraging strangers, and finally, that it never obtained the end, for which it was employed. And in this we are the more confirmed by the reflections we have made upon the conduct of the four last reigns. For after all the frequent and pressing endeavours that were used in each of them, to reduce this kingdom to an exact conformity in religion, it is visible the success has not answered the design, and that the difficulty is invincible. We therefore out of our princely care and affection unto all our loving subjects, that they may live at ease and quiet, and for the increase of trade, and encouragement of strangers, have thought fit by virtue of our royal prerogative to issue forth this our declaration of indulgence; making no doubt of the concurrence of our two houses of parlia-

ment, when we shall think it convenient for them to meet.

In the first place we do declare, that we will protect and maintain our archbishops, bishops, and clergy, and all other our subjects of the church of England in the free exercise of their religion as by law established, and in the quiet and full enjoyment of all their possessions without any molestation or disturbance whatsoever.

We do likewise declare, that it is our royal will and pleasure, that from henceforth the execution of all, and all manner of penal laws in matters ecclesiastical, for not coming to church, or not receiving the sacrament, or for any other nonconformity to the religion established, or for, or by reason of the exercise of religion in any manner whatsoever, be immediately suspended; and the further execution of the said penal laws and every of them is hereby suspended.

And to the end, that by the liberty hereby granted, the peace and security of our government in the practice thereof may not be endangered, we have thought fit, and do hereby straitly charge and command all our loving subjects, that as we do freely give them leave to meet and serve God after their own way and manner, be it in private houses or places purposely hired or built for that use; so that they take especial care, that nothing be preached or taught amongst them, which may any ways tend to alienate the hearts of our people from us or our government; and that their meetings and assemblies be peaceably, openly, and publicly held, and all persons freely admitted to them; and that they do signify and make known to some one or more of the next justices of the peace, what place or places they set apart for those uses.

And that all our subjects may enjoy such their religious assemblies with greater assurance and protection, we have thought it requisite and do hereby command, that no disturbance of any kind be made or given unto them, under pain of our displeasure, and to be further proceeded against with the utmost severity.

And forasmuch as we are desirous to have the benefit of the service of all our loving subjects, which by the law of nature is inseparably

bly annexed to, and inherent in our royal person; and that none of our subjects may for the future be under any discouragement or disability (who are otherwise well inclined and fit to serve us) by reason of some oaths or tests, that have been usually administered on such occasions; we do hereby further declare, that it is our royal will and pleasure, that the oaths commonly called "The oaths of supremacy and allegiance," and also the several tests and declarations mentioned in the acts of parliament made in the xxvth and xxxth years of the reign of our late royal brother king Charles II. shall not at any time hereafter be required to be taken, declared, or subscribed by any person or persons whatsoever, who is or shall be employed in any office or place of trust either civil or military under us, or in our government. And we do further declare it to be our pleasure and intention from time to time hereafter, to grant our royal dispensations under our great seal to all our loving subjects so to be employed; who shall not take the said oaths, or subscribe or declare the said tests or declarations in the above mentioned acts, and every of them.

And to the end that all our loving subjects may receive and enjoy the full benefit and advantage of our gracious indulgence hereby intended, and may be acquitted and discharged from all pains, penalties, forfeitures, and disabilities by them or any of them incurred, or forfeited, or which they shall or may at any

time hereafter be liable to, for or by reason of their nonconformity, or the exercise of their religion, and from all suits, troubles, or disturbances for the same; we do hereby give our free and ample pardon unto all Nonconformists, recusants, and other our loving subjects, for all crimes and things by them committed or done contrary to the penal laws, formerly made relating to religion, and the profession or exercise thereof; hereby declaring that this our royal pardon and indemnity shall be as good and effectual to all intents and purposes, as if every individual person had been therein particularly named, or had particular pardons under our great seal, which we do likewise declare shall from time to time be granted unto any person or persons desiring the same: willing and requiring our judges, justices, and other officers to take notice of and obey our royal will and pleasure herein before declared.

And although the freedom and assurance, we have hereby given in relation to religion and property, might be sufficient to remove from the minds of our loving subjects all fears and jealousies in relation to either; yet we have thought fit further to declare, that we will maintain them in all their properties and possessions, as well of church and abby lands, as in any other their lands and properties whatsoever. Given at our court at Whitehall the fourth day of April, M.DC.LXXXVII. in the third year of our reign.

Archiepisc. Cant.
GUIL. SANCROFT II.

Anno Christi
1687.

Reg. Angliae
JACOB. II. 4.

A proclamation for suppressing and preventing seditious and unlicensed books and pamphlets.

JAMES R.

WHEREAS in and by an act of parliament made in the fourteenth year of the reign of our late dearest brother king Charles II. entitled "An act for preventing abuses in printing seditious, treasonable, and unlicensed books and pamphlets, and for regulating of printing and printing presses" (which said act is by another statute or act of parliament made in the first year of our reign, revived and continued) it is amongst other things enacted, that no person or persons whatsoever, not being licensed in that behalf by the lord bishop of the diocese, nor having been seven years apprentice to the trade of bookseller, printer, or bookbinder, nor being a freeman of the city of London by a patrimonial right, as a son of a bookseller, printer, or bookbinder, nor being a member of the company of Stationers of London, shall within the city or suburbs of London, or any other market town, or elsewhere receive, take, or buy, to barter, sell again, change, or do away any book or books whatsoever, upon pain of forfeiture of the same; and whereas of late several persons not being qualified by the said act, and particularly great

numbers of loose and disorderly people, commonly called hawkers and pedlers of books, have taken upon them to receive or buy several unlicensed, seditious, and many times treasonable books and pamphlets, framed and contrived by malicious persons on purpose to amuse and disturb the minds of our loving subjects, or for other evil or indirect ends and purposes, and have carried, sold, and dispersed the same about the streets, and in other places of public resort, and also in coffeehouses, taverns, and private families, to the great abuse and scandal of our royal state and government, and in open and manifest breach and contempt of our laws; we therefore considering the great mischief that doth ensue upon such licentious and illegal practices, and being resolved effectually to provide against the like mischiefs for the future, are pleased by this our royal proclamation, by and with the advice of our privy council to command and require, that the said act be put in execution, and duly and strictly observed and kept. And we do also straitly prohibit and forewarn, that from henceforth no person or persons, commonly called hawkers or pedlers of books, or any other person or persons whatsoever, not being qualified as aforesaid,

foresaid, to buy or sell books, do or shall presume to go about the streets, or from house to house, to sell or expose to sale any manner of book or books, pamphlet or pamphlets whatsoever, nor do or shall by any ways or means whatsoever buy, or sell, or expose to sale any manner of books or pamphlets whatsoever contrary to the purport and true meaning of the said act of parliament, under such pains, penalties, and forfeitures, as by the said act are provided, and upon pain of incurring such further punishments, as by the utmost rigour of the laws, and by our prerogative royal may be inflicted on such offenders for their contempt of this our royal commandment; hereby strictly charging and commanding all judges, justices of the peace, mayors, sheriffs, bayliffs, constables, and all other our officers, and ministers; as also the master and wardens of the

Archiepisc. Cant.
GUIL. SANCROFT II.

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JACOB. II. 4.

The king's declaration for liberty of conscience.

OUR conduct has been such in all times, as ought to have persuaded the world, that we are firm and constant to our resolutions: yet that easy people may not be abused by the malice of crafty wicked men, we think fit to declare, that our intentions are not changed since the 4th of April M.DC.LXXXVII. when we issued out our declaration for liberty of conscience in the following terms. [Here the declaration was recited verbatim, and then follows] Ever since we granted this indulgence, we have made it our principal care to see it preserved without distinction, as we are encouraged to do daily by multitudes of addressees, and many other assurances we receive from our subjects of all persuasions, as testimonies of their satisfaction and duty; the effects of which we doubt not but the next parliament will plainly shew; and that it will not be in vain, that we have resolved to use our utmost endeavours to establish liberty of conscience on such just and equal foundation, as will render it unalterable, and secure to all people the free exercise of their religion for ever; by which future ages may reap the benefit of what is so undoubtedly for the general good of the whole kingdom. It is such a security we desire, without the burthen and constraint of oaths and tests, which have been unhappily made by some governments, but could never support any; nor should men be advanced by such means to offices and employments, which ought to be the reward of services, fidelity, and merit. We must conclude, that not only good christians will join in this, but whoever is concerned for the increase of the wealth and power of the nation. It would perhaps prejudice some of

said company of Stationers, now and for the time being, and all other our subjects, whom it shall or may concern, that they and every of them do from time to time use their and every of their best and utmost powers, skills, and endeavours respectively, for the utter suppressing and preventing of the printing and publishing of all such unlawful books and pamphlets aforesaid, and for prosecuting, punish, and utterly suppressing all and every person and persons offending in the premises, according to the utmost rigour of the law, and our royal intent and meaning herein declared, as they our said officers and subjects do tender our pleasure, and will answer the contrary. Given at our court at Whitehall the tenth day of February, M.DC.LXXXVII. in the fourth year of our reign.

our neighbours, who might lose part of those vast advantages they now enjoy, if liberty of conscience were settled in these kingdoms, which are above all others, most capable of improvements, and of commanding the trade of the world. In pursuance of this great work, we have been forced to make many changes both of civil and military officers throughout our dominions, not thinking any ought to be employed in our service, who will not contribute towards establishing the peace and greatness of their country, which we most earnestly desire, as unbiassed men may see by the whole conduct of our government, and by the condition of our fleet, and of our armies, which with good management shall be constantly the same, and greater, if the safety or honour of the nation require it. We recommend these considerations to all our subjects, and that they will reflect on their present ease and happiness, how far above three years that it hath pleased God to permit us to reign over these kingdoms, we have not appeared to be that prince, our enemies would have made the world afraid of; our chief aim having been not to be the oppressor, but the father of our people; of which we can give no better evidence, than by conjuring them to lay aside all private animosities, as well as groundless jealousies, and to chuse such members of parliament, as may do their parts to finish what we have begun for the advantage of the monarchy, over which almighty God has placed us; being resolved to call a parliament, that shall meet in November next at furthest. Given at our court at Whitehall the 27th day of April M.DC.LXXXVIII. in the fourth year of our reign.

Petition of the archb. and bishops against the king's declaration. 617

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GUIL. SANCROFT II.

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The petition of William Sancroft, archbishop of Canterbury, William Lloyd, bishop of St. Asaph, Thomas Kenn, bishop of Bath and Wells, Francis Turner, bishop of Ely, John Lake, bishop of Chichester, Thomas White, bishop of Peterborough, and Jonathan Trelawny, bishop of Bristol, against publishing the king's declaration for liberty of conscience, presented to the king May 18. M.DC.LXXXVIII.

To the king's most excellent majesty.

The humble petition of William, archbishop of Canterbury, and divers of the suffragan bishops of that province, now present with him, in behalf of themselves, and other of their absent brethren, and of the inferior clergy of their respective dioceses,

Humbly sheweth,

THAT the great averfeness they find in themselves to the distributing and publishing in all their churches your majesty's late declaration for liberty of conscience, proceeds neither from any want of duty and obedience to your majesty (our holy mother the church of England being both in her principles, and in her constant practice unquestionably loyal, and having to her great honour, been more than once publickly acknowledged to be so by your gracious majesty) nor yet from any want of tenderness to Dissenters, in relation to whom we are willing to come to such a temper, as

shall be thought fit, when the matter shall be considered and settled in parliament and convocation: but among many other considerations, from this especially; because that declaration is founded upon such a dispensing power, as hath been often declared illegal in parliament, and particularly in the years M.DC.LXII. and M.DC.LXXII. and in the beginning of your majesty's reign; and is a matter of so great moment and consequence to the whole nation, both in church and state, that your petitioners cannot in prudence, honour, or conscience so far make themselves parties to it, as the distribution of it all over the nation, and the solemn publication of it once and again even in God's house, and in the time of his divine service must amount to in common and reasonable construction. Your petitioners therefore most humbly and earnestly beseech your majesty, that you will be pleased not to insist upon their distributing and reading your majesty's said declaration.

And your petitioners, as in duty bound, shall ever pray, etc.

A proclamation against vice and profaneness.

JAMES R.

WHEREAS nothing can prove a greater dishonour to a well ordered government, where the christian faith is professed, than the open and avowed practice of vice, profaneness, and debauchery, which amongst some men hath too much prevail'd in this our kingdom of late years, to the high displeasure of almighty God, the great scandal of christianity itself, and the ill and fatal example of our loving subjects, who have been soberly educated, and especially the younger sort, whose inclinations would lead them to virtuous courses, did they not daily find repeated instances of dissolute living and open profaneness, which in some persons is grown so habitual, as if in this our realm there were an allowed custom of doing evil; for the prevention whereof, and to the intent that religion, piety, and good manners may (according to our hearty desire) flourish and increase under our administration and government, we do hereby declare our royal purpose and resolution to be, that we will exercise the greatest severity of punishment against men of dissolute, debauch'd, and profane lives, of what quality or under what circumstances soever they shall be. And we do expect that all persons of honour, or in place and authori-

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ty will so far contribute to the discountenancing such men, that they being reduced to shame and contempt, may be enforced the sooner to reform their ill habits and practices; and that the displeasure of good men towards them may supply, what the laws have not of themselves, or (it may be) cannot wholly prevent. And for the more effectual reforming these persons, who are a discredit to this our kingdom, our further pleasure is, and we do hereby straitly require, charge, and command all our judges, mayors, sheriffs, justices of the peace, and all other our officers and ministers both ecclesiastical and civil, and other our subjects, whom it may concern, to be very vigilant and strict in the discovery and prosecution of all persons, who shall be given to excessive drinking, debauchery, profane swearing and cursing, or any other dissolute, vicious, and immoral practices, that (having first given security for their good behaviour) they may be further proceeded against with all rigour and severity, and exposed to shame in such a manner as the laws, and the just and necessary rules of government shall direct or permit. Given at our court at Whitehall the twenty ninth day of June, M.DC.LXXXVIII. in the fourth year of our reign.

618 *Articles recommended by the archb. of Cant. to the bishops.*

Archiepsc. Cant.
GUIL. SANCROFT II.

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JACOB. II. 4.

The articles recommended by the archbishop of Cant. to all the bishops within his metropolitan jurisdiction.

SIR,

YESTERDAY the archbishop of Cant. delivered the articles, which I send you inclosed, to those bishops, who are at present in this place, and ordered copies of them to be likewise sent, in his name, to the absent bishops. By the contents of them you will see that the storm, in which he is, does not frighten him from doing his duty, but rather awakens him to do it with so much the more vigour. And indeed the zeal, which he expresses in these ar-

ticles both against the corruptions of the church of Rome on the one hand, and the unhappy differences that are among protestants on the other, are such apostolical things, that all good men rejoice to see so great a prelate at the head of our church, who in this critical time has had the courage to do his duty in so signal a manner.

London, July 27.
M.DC.LXXXVIII.

I am, Sir, yours.

Some heads of things to be more fully insisted upon by the bishops in their addresses to the clergy, and people of their respective dioceses.

I. THAT the clergy often read over the forms of their ordination, and seriously consider what solemn vows and professions they made therein to God and his church, together with the several oaths and subscriptions they have taken and made upon divers occasions.

II. That in compliance with those and other obligations, they be active and zealous in all the parts and instances of their duty, and especially strict and exact in all holy conversation, that so they may become examples to the flock.

III. To this end, that they be constantly resident upon their cures in their incumbent houses, and keep sober hospitality there, according to their ability.

IV. That they diligently catechize the children and youth of their parishes (as the rubric of the Common Prayer book and the LIXth canon enjoin) and so prepare them to be brought in due time to confirmation, when there shall be opportunity; and that they also at the same time expound the grounds of religion, and the common christianity in the method of the catechism, for the instruction and benefit of the whole parish, teaching them what they are to believe and what to do, and what to pray for, and particularly often and earnestly inculcating the importance and obligation of their baptismal vows.

V. That they perform the daily office publickly (with all decency, affection, and gravity) in all market and other great towns, and even in villages and less populous places, bring people to public prayers as frequently as may be, especially on such days, and at such times, as the rubric and canons appoint, on holydays and their eves, on Ember and Rogation days, on Wednesdays and Fridays in each week, as especially in Advent and Lent.

VI. That they use their utmost endeavour both in their sermons, and by private applications, to prevail with such of their flock, as are of competent age, to receive frequently the

holy communion, and to this end that they administer it in the greater towns once in every month, and even in the lesser too, if communicants may be procured, or however as often as they may, and that they do take all due care both by preaching and otherwise, to prepare all for the worthy receiving of it.

VII. That in their sermons they teach and inform their people (four times a year at the least, as what the canon requires) that all usurped and foreign jurisdiction is for most just causes taken away and abolished in this realm, and no manner of obedience or subjection due to the same, or to any that pretend to act by virtue of it; but that the king's power being in his dominions highest under God, they upon all occasions persuade the people to loyalty and obedience to his majesty in all things lawful, and to patient submission in the rest; promoting (as far as in them lies) the public peace and quiet of the world.

VIII. That they maintain fair correspondence (full of the kindest respects of all sorts) with the gentry and persons of quality in their neighbourhood; as being deeply sensible, what reasonable assistance and countenance this poor church hath received from them, in her necessities.

IX. That they often exhort all those of our communion to continue steadfast to the end in their most holy faith, and constant to their professions, and to that end, to take care of all seducers, and especially of popish emissaries, who are now in great numbers gone forth amongst them, and more busy and active than ever, and that they take all occasions to convince our own flock, that 'tis not enough for them to be members of an excellent church, rightly and duly reformed both in faith and worship, unless they do also reform and amend their own lives, and so order their conversation in all things, as becomes the gospel of Christ.

X. And forasmuch as those Romish emissaries, like

like the old serpent, "insidiantur calcaneo," are wont to be most busy and troublesome to our people at the end of their lives, labouring to unsettle and perplex them in time of sickness and at the hour of death; that therefore all, who have the cure of souls, be more especially vigilant over them at that dangerous season, that they stay not till they be sent for, but enquire out the sick in their respective parishes, and visit them frequently; that they examine them particularly concerning the state of their souls, and instruct them in their duties, and settle them in their doubts, and comfort them in their sorrow and sufferings, and pray often with them, and for them, and by all the methods, which our church prescribes, prepare themselves for the due and worthy receiving of the holy eucharist, the pledge of their happy resurrection; thus with their utmost diligence watching over every sheep within their fold (especially in that critical moment) lest those evening wolves devour them.

XI. That they also walk in wisdom towards those, who are not of our communion; and if there be in their parishes any such, that they neglect not frequently to confer with them in the spirit of meekness, seeking by all good ways and means to gain and win them over to our communion. More especially, that they

have a very tender regard to our brethren, the protestant dissenters, that upon occasion offered they visit them at their houses, and receive them kindly as their own, and treat them fairly wherever they meet them, discoursing calmly and civilly with them, persuading them (if it may be) to a full compliance with our church, or at least, that whereto we have already attained, we may all walk by the same rule, and mind the same thing. And in order thereunto, that they take all opportunities of assuring and convincing them, that the bishops of this church are really and sincerely irreconcilable enemies to the errors, superstitions, idolatries, and tyrannies of the church of Rome, and that the very unkind jealousies, which some have had of us to the contrary, were altogether groundless.

And in the last place, that they warmly and most affectionately exhort them to join with us in daily fervent prayer to the God of peace, for an universal blessed union of all reformed churches, both at home and abroad, against our common enemies; and that all they, who do confess the holy name of our dear Lord, and do agree in the truth of his holy word, may also meet in one holy communion, and live in perfect unity and godly love.

Archiepisc. Cant.
suspensio.

Anno Christi
1689.

Reg. Angliae
GUILLIEL. et MAR. I.

Convocatio praelatorum et cleri provinciae Cantuar.

CONVOCATIO praelatorum et cleri provinciae Cantuar. in domo capitulari ecclesiae cathedr. D. Pauli London. auctoritate brevis regii decano et capitulo ecclesiae Cantuar. custodibus spiritualitatis archiepiscopatus et dioecesis. Cant. (durante suspensione reverendissimi domini Wilhelmi, Cantuar. archiepiscopi, ab omni archiepiscopali administratione et jurisdictionis ecclesiasticae exercitio, virtute statuti hujus regni, sive actus parliamenti, cui titulus est: "An act for abrogating the oaths of supremacy and allegiance, and appointing other oaths") eorumve commissariis pro metropolitana jurisdictione dicti archiepiscopatus, durante suspensione praedicta, vel eorum alteri in hac parte directi, inchoata 6. die mensis Novembris.

In prima hujus synodi provincialis sessione breve regium, commissio decani et capituli Cantuar. constituens dominum episcopum London. praesidem convocationis, et certificatorium episcopi London. super executione mandati citatorii et monitorii decani et capit. Cant. necnon schedula contra contumaces perlegebantur.

In secunda (20. die mensis Novembris) quae fuit in capella Henrici VII. in ecclesia collegiata D. Petri Westmonast. sacra peragebantur, et protestatio decani Westmonasteriensis benigno domini praesidis responso excipiebatur.

In tertia sessione (25. die Novembris) Willelmus Jane in prolocutorem electus, a domino episcopo London. approbatur.

Quarta sessio (27. die Novembris) et quinta (2. die Decemb.) simulac congregatae fuerant, continuabantur.

In sexta sessione (4. die Decembr.) comes Nottinghamiae, unus e secretariis principalibus domini regis, comparuit, licentiam quandam sive commissionem regiam magno sigillo Angliae sigillatam exhibens, simulque mandatum quoddam domini regis ad hanc sacram synodum in scriptis producens. Utrumque dominus praeses cum omni reverentia et humilitate recepit, ac coram toto concilio perlegi jussit. Commissio autem hujus erat tenoris:

"Whereas the particular forms of divine worship, and the rites and ceremonies appointed to be used therein, are things in their own nature indifferent and alterable, and so acknowledged; it is but reasonable, that upon weighty and important considerations, according to the various exigencies of times and occasions, such changes and alterations should be made therein, as to those that are in place and authority should from time to time seem either necessary or expedient.

And whereas the book of canons is fit to be review'd, and made more suitable to the state of the church; and whereas there are defects and abuses in the ecclesiastical courts and jurisdictions, and particularly there is not sufficient provision made for the removing of scandalous ministers, and for the reforming of manners
either

either in ministers or people: and whereas it is most fit, that there should be a strict method prescribed for the examination of such persons, as desire to be admitted into holy orders, both as to their learning and manners;

We therefore, out of our pious and princely care for the good order and edification and unity of the church of England, committed to our charge and care; and for the reconciling, as much as is possible, of all differences among our good subjects, and to take away all occasions of the like for the future, have thought fit to authorize and empower you, etc. and any nine of you, whereof three to be bishops, to meet from time to time, as often as shall be needful, and to prepare such alterations of the liturgy and canons, and such proposals for the reformation of ecclesiastical courts, and to consider of such other matters, as in your judgments may most conduce to the ends above mentioned."

The king's message by the earl of Nottingham.

"His majesty has summon'd this convocation, not only because 'tis usual upon holding of a parliament, but out of a pious zeal to do every thing, that may tend to the best establishment of the church of England, which is so eminent a part of the reformation, and is certainly the best suited to the constitution of this government; and therefore does most signally deserve, and shall always have both his favour and protection; and he doubts not, but that you will assist him in promoting the welfare of it, so that no prejudices, with which some men may have laboured to possess you, shall disappoint his good intentions, or deprive the church of any benefit from your consultations. His majesty therefore expects, that the things that shall be proposed, shall be calmly and impartially considered by you, and assures you, that he will offer nothing to you, but what shall be for the honour, peace, and advantage both of the protestant religion in general, and particularly of the church of England."

Hoc facto, dominus praeses cum confratribus suis ad cameram communiter vocatam "Jerusalem Chamber" sese conferens, libellum supplicem plenum gratiarum actione regiae majestati pro suo amore et favore speciali erga hanc sacram synodum, eidem praesentandum confecit, quem cum coetu domus inferioris convocationis communicavit, assensum eorum expectiturus. Hi gratiis domino regi pro gratioso suo mandato reddendis consenserunt, ast libello supplici, iis a domo superiori misso, subscribere noluerunt, sed alium potius conscribere intenderunt. Dominus praeses confectioni et praesentationi alius libelli supplicis minime consentiens, domum inferiorem ad colloquium cum superiore habendum, atque in eo emendationes aliquas, si necesse fuerit, libello supplice adjungendas hortatus est. Illud colloquium a nonnullis ex utraque domo ad hoc negotium selectis in proximam sessionem tractandum differabatur. Antequam autem huic sessioni finis

imponeretur, dominus praeses cum consensu confratrum suorum, licentiam et mandatum regium una cum libello supplici inter acta referri, et formulam precum in hac convocatione observandam imprimi iussit.

The bishops address.

"We your majesty's most dutiful subjects, the bishops and clergy of the province of Canterbury in convocation assembled, having received your majesty's gracious message, together with a commission from your majesty by the earl of Nottingham, hold ourselves bound in gratitude and duty to return our most humble thanks and acknowledgements of the grace and goodness express'd in your majesty's message; and the zeal you shew in it for the protestant religion in general, and the church of England in particular, and of the trust and confidence reposed in us by this commission. We look on these marks of your majesty's care and favour, as the continuance of the great deliverance almighty God wrought for us by your means, in making you the blessed instrument of preserving us from falling under the cruelty of popish tyranny; for which as we have often thanked almighty God, so we cannot forget that high obligation and duty, which we owe to your majesty; and on these new assurances of your protection and favour to our church, we beg leave to renew the assurance of our constant fidelity and obedience to your majesty: whom we pray God to continue long and happily to reign over us."

In septima sessione (6. die Decembr.) multi ex coetu domus inferioris convocationis libellum supplicem a se in scriptis conceptum, domui superiori tradiderunt, illumque ab episcopis conscriptum reddiderunt absque ullis emendationibus, suum earum loco substituentes. Ast dominus praeses ambos libellos supplices decano D. Pauli London "cum directionibus quoad formam emendationum per dictam domum inferiorem observandis, quoties et quando eos alicui rei per hanc domum ipsis in scriptis propositae dissentire contigerit, toti coetui dictae domus inferioris communicandis tradidit."

Octava sessio (7. die mensis Decembr.) nihil, quod adnotari merebatur, tractavit.

Nonae (9. die Decemb.) et decimae sessionis (10. die Decemb.) tempus impendebatur in emendatione libelli supplicis a domo superiore compositi; cui ab utraque parte his et illis correctis mutatisque vocabulis, tandem tota synodus subscripsit et domino regi praesentari decrevit.

"We your majesty's most loyal and most dutiful subjects, the bishops and clergy of the province of Canterbury in convocation assembled, having received a most gracious message from your majesty by the earl of Nottingham, hold ourselves bound in duty and gratitude to return our most humble acknowledgements for the same; and for the pious zeal and care your majesty is pleased to express therein for the honour, peace, advantage, and establishment of the church

CONVOCATIO PRAELATORUM ET CLERI PROV. CANT. 621

church of England: whereby we doubt not, the interest of the protestant religion in all other protestant churches, which is dear to us, will be the better secured under the influence of your majesty's government and protection. And we crave leave to assure your majesty, that in pursuance of that trust and confidence you repose in us, we will consider whatsoever shall be offered to us from your majesty, without prejudice, and with all calmness and impartiality; and that we will constantly pay the fidelity and allegiance, which we have all sworn to your majesty and the queen, whom we pray God to continue long and happily to reign over us."

In undecima sessione (Decembris die 11.) Johannes Cawley, archidiaconus Lincoln. libellum supplicem domino praesidi exhibuit, querelans, quod Thomas Oldys, tanquam archidiaconus Lincoln. ad comparandum in sacra synodo provinciali in praejudicium juris et tituli sui citatus sit, et nunc ibi sedem teneat. Quam controversiam in proxima sessione (13. die Decembris) terminavit dominus praeses, dicendo "quod eis constet, duas sententias diffinitivas fuisse contra dictum doctorem Cawley latas, unam in alma curia Cant. de arcubus, et alteram in suprema curia delegatorum; et quod commissio pro revisione dicti negotii fuit per serenissimos in Christo principes dom. Willielmum et Mariam, regem et reginam etc. ad petitionem dicti doctoris Cawley, concessa, et quod idem negotium per iudices revisionis non est adhuc decusum," et ideo "dimisit dictum magistrum Oldys ab omni ulteriori iudicii observatione."

In hac undecima sessione prolocutor nomine totius coetus domus inferioris et ex eorum mandato querelatus est, diversos libros christianae religioni et ecclesiae inprimis Anglicanae doctrinis valde insidiosos et contrarios nuper impressos esse, viz. Annotationes super symbolum Athanasii, et duas epistolas ad hanc convocationem spectantes; petiitque consilium a domino praefide et caeteris episcopis, quomodo et quous-

que absque laesione statuti anno xxv. Henrici VIII. regis editi, haec sacra synodus procedere posset ad impediendum de futuro publicationem aliorum hujus generis perniciosorum librorum, et ad poenas et censuras ecclesiasticas juxta canonem in ea parte editum, auctoribus eorundem infligendas. Cui dominus praeses respondens ordinavit, ut prolocutor libros praedictos procuraret, et eosdem penes actuarium hujus domus relinqueret.

In duodecima sessione (13. die Decembris) dominus praeses negotium librorum perniciosorum reassumens declaravit, epistolas praedictas multum mali minari ecclesiae, et quod ipsi et confratribus suis adhuc nondum constet, utrum convocatio haec potestatem habeat infligendi censuras ecclesiasticas auctoribus earundem.

In decima tertia sessione (14. die Decembris) responsum domini regis ad libellum supplicem ei a synodo porrectum publice legebatur.

"My lords. I take this address very kindly from the convocation. You may depend upon it, that all I have promised, and all that I can do for the service of the church of England, I will do. And I give you this new assurance, that I will improve all occasions and opportunities for its service."

Deinde dominus praeses toti coetui domus inferioris enarravit; se et fratres suos episcopos admodum conscios esse, quam noxae ac perniciosae clausulae in libris nuperrime coram concilio expositis, latitarent, seque a juris peritis informatos esse, delicta auctorum in propriis curiis judicialibus puniri debere, et ideo non expediens ipsis videri sese impraesentiarum hisce rebus immiscere. Postea dominus praeses proposuit prolocutori nominare coetum selectum domus inferioris convocationis, ad conveniendum cum coetu selecto domus superioris ad inspicienda acta ambarum domuum convocationis durante recessu. Sed domus inferior huic proposito accedere recusavit.

Post duas deinde continuationes synodus 13. die Februarii virtute brevis regii dissolvebatur.

Archiepisc. Cant.
suspensio.

Anno Christi
1689.

Reg. Angliae
GUILLIEL. et MAR. I.

Concilium provinciale Eboracense:

IN provincia Eboracensi synodus provincialis per breve regium dat. 26. Sept. anno regni I. convocabatur ad 29. Octobris, et per aliud breve post nonnullas continuationes, die 8. mensis

Februarii dissolvebatur. Inchoata tamen absque brevi regio fuisse dicitur in regist. Ebor. 18. die Octobris, anno regni regis et reginae I.

Archiepisc. Cant.
suspensio.

Anno Christi
1690.

Reg. Angliae
GUILLIEL. et MAR. 2.

Convocatio praelatorum et cleri prov. Cant.

CONVOCATIO praelatorum et cleri provinc. Cant. per breve regium decano et capit. eccles. Cantuar. (durante suspensione dom. Wilhelmi, Cant. archiepiscopi) eorumve com-

missariis directum inchoata 27. die mensis Martii in domo capitulari ecclesiae cathedralis D. Pauli London. Quid autem in ea gestum sit, non constat.

Archiepisc. Cant.
suspensio.

Anno Christi
1689.

Reg. Angliae
GUILLIEL. et MAR. 2.

His majesty's letter to the reverend father in God, Henry, lord bishop of London, to be communicated to the two provinces of Canterbury and York.

WILLIAM R.

RIGHT reverend father in God, we greet you well. Whereas the advancement of the honour and service of almighty God, and of the protestant religion, which by his wonderful providence hath been preserved and established in these kingdoms, ought to be the chief part of our royal care; in order to this, as we have oftentimes declared, that we would take the church of England, by law established, into our particular protection and favour, so we take this occasion to renew these assurances, being resolved to do all we can, for the support and strengthening of it, preserving withall the liberty of conscience to all our protestant subjects, which by our laws they now enjoy.

And because the welfare, peace, and honour of this church depends so much upon all persons faithfully doing their duties in their several places and functions; we therefore first of all charge and require you the bishops of this our church, to apply your selves with all diligence and zeal to the duties of your episcopal function, according to the word of God, the orders of this church, and the laws of this our realm.

More especially as to the ordination of ministers, we require you to use all possible care and strictness in examining and enquiring into the lives and learning of such persons, as desire to be admitted into holy orders; and herein constantly to observe the canons relating thereunto, the neglect whereof we shall strictly enquire into, and take care that it be punished according to law.

We also charge and require you, to keep a strict watch over all the clergy in your respective dioceses, to see that they be duly resident upon their livings, according to the laws in that case provided; and that they be constant and diligent in their duties, performing the public offices of worship gravely and devoutly, preaching the word of God plainly and practically, without running into needless controversies, and administering of the holy sacraments frequently, with that reverence, which is due to the institutions of Christ, also catechizing the youth, visiting the sick and distressed, and doing all such things in their stations, as may tend to promote the honour of God, and true religion, together with peace and charity among all their neighbours; themselves giving a good example to their flock, by walking before them in all holy conversation and godliness.

And the more effectually to prevent the

scandals that may arise by any disorders in the lives of those, who ought to be examples to others, you shall admonish them religiously to observe the canon entituled "Sober conversation required in ministers;" and you shall severally and impartially proceed by ecclesiastical censures against all such of your clergy, as shall be found guilty of any notorious violation of this or any other law or canons, relating to their duty.

And for the better encouragement of deserving men, as we intend to make it a rule to ourself, so we also require it of you in disposing of church preferments, to have a special regard to such persons, as by their piety, learning diligence, and peaceableness do most promote the honour of God, and the edification of his church.

And because, as our duty requires, we most earnestly desire and shall endeavour a general reformation in the lives and manners of all our subjects, as being that which must establish our throne, and secure to our people their religion, happiness, and peace; all which seem to be in great danger at this time, by reason of that overflowing of vice, which is too notorious in this, as well as other neighbouring nations; we therefore require you, to order all the clergy to preach frequently against those particular sins and vices, which are most prevailing in this realm, and that on every of those Lord's days, on which any such sermon is to be preached, they do also read to their people such statute law or laws, as are provided against that vice or sin, which is their subject on that day; as namely against ^ablasphemy, swearing, and cursing, against ^bperjury, against ^cdrunkenness and against ^dprofanation of the Lord's day; all which statutes we have ordered to be printed together with these our letters, that so they may be transmitted by you to every parish within this our realm.

And whereas there is as yet no sufficient provision made by any statute law for the punishing of adultery and fornication, you shall therefore require all churchwardens in your dioceses to present impartially all those, that are guilty of any such crimes in their several parishes; and upon such presentments we require you to proceed without delay, and upon sufficient proof to inflict those censures, which are appointed by our ecclesiastical laws against such offenders. In doing whereof according to your duty, you shall not want our effectual assistance and support.

And for the better carrying on of so good a

^a *xxi. Jac. c. XX.*

^b *v. Eliz. c. IX.*

^c *iv. Jac. c. V. xxi. Jac. c. VII.*

^d *xxix. Car. II. c. VII.*

work, we do in the last place charge and require you to preach frequently yourselves; to confer often with your clergy; and to enquire by all proper means into all abuses and corruptions in your dioceses, in order to a full and speedy reformation; and all this not only as you shall answer it to us, but also considering the great charge that God hath committed to you, and the account that you must give him for it at the great

day. And so we bid you heartily farewell. Given at our court at Whitehall the thirteenth day of February, M.DC.LXXXIX. in the second year of reign.

By his majesty's command.

SHREWSBURY.

Archiepisc. Cant.
suspensio.

Anno Christi
1690.

Reg. Angliae.
GUILIEL. et MAR. 2.

A proclamation commanding all papists and reputed papists, forthwith to depart from the cities of London and Westminster, and from within ten miles of the same.*

MARIA R.

WHEREAS, notwithstanding the several acts of parliament, whereby the resorting of papists to the cities of London and Westminster, and places thereunto adjacent, are declared to be dangerous to the peace and safety of this kingdom, and the ways and methods provided and enacted as well for discovering as amoving them; and notwithstanding the manifestation of their majesty's princely disposition to extend their protection and royal grace to all and every of their subjects, that will live quietly and peaceably under their government, divers popish recusants, being ill affected to their majesty's government, and of restless spirits, have lately resorted to the said cities and places in great numbers, and thereby having opportunity to meet, have taken great boldness to consult and prosecute divers mischievous and treasonable designs and practices, contrary to the duty of their allegiance; their majesties have therefore thought fit (by the advice of their privy council) to issue out this their royal proclamation, and do hereby strictly charge and command all popish recusants, and persons reputed so to be (except merchants, strangers, and such other persons, as in the said acts are excepted) on or before the seven and twentieth day of this instant June, to depart out of the said cities, and from all places within the distance of ten miles of the same. And their majesties do hereby further require and command, that if any of the said popish recusants, or so reputed, shall presume to remain within either of the said cities, or ten miles adjacent, or repair or return to the same, they be proceeded against, as persons conspiring against the peace and

welfare of the government. And their majesties do hereby straitly charge and command the lord mayor of London, and all and every the justices of the peace, constables, and other their majesty's officers and ministers of justice within the said cities and either of them, and within ten miles of the same, that they do make strict search and enquiry for, and with all vigour proceed against all and every person or persons, who shall be found within the said cities of London and Westminster, and within ten miles of the same, contrary to the effect of any of the said statutes, and the purport of this their majesties proclamation. And their majesties do further strictly charge and command, that immediately after the said seven and twentieth day of June, the constables, churchwardens, and other officers within the said cities and places, do go from house to house in their several parishes, hamlets, constaberies, and divisions respectively, and there take an account of the names and surnames of all such persons, as are popish recusants or reputed so to be, as well householders as lodgers or servants, and to carry a list of their names to the two next justices of the peace, who are hereby required and enjoined to send for and proceed against them (excepting always merchant foreigners, settled householders, and other persons in the said acts excepted) as aforesaid; and they the said justices are likewise required, when they shall have received such list or lists, to certify the same, together with their proceedings thereupon, to their majesties most honourable privy council. Given at our court at Whitehall the seventeenth day of June, M.DC.XC. in the second year of our reign.

* Another of the like nature was published M.DC.XCII. May the 3^d.

Archiepisc. Cant.
THO. TENISON I.

Anno Christi
1694.

Reg. Angliae
GUILIEL. III. 7.

Injunctions given by the king's majesty to the archbishops of this realm, to be communicated by them to the bishops, and the rest of the clergy.

To the most reverend father in God, our right trusty and right entirely beloved counsellor Thomas, lord archbishop of Canterbury, and to the most reverend father in God John, lord archbishop of York.

WILLIAM R.

MOST reverend father in God, our right trusty and right entirely beloved counsellor; and most reverend father in God, we greet you well. We being very sensible, that nothing can more effectually conduce to the honour and glory of God, and the support of the protestant religion, than the protecting and maintaining of the church of England, as it is by law established; which we are resolved to do to the utmost of our power; have therefore upon mature deliberation with you and other our bishops, by virtue of our royal and supreme authority, thought fit, with the advice of our privy council, to ordain and publish the following injunctions.

I. That the 34th and 35th canons concerning ordinations be strictly observed.

II. That every person, to be admitted to holy orders, do signify his name and the place of his abode to the bishop fourteen days before he is ordained, to the end that enquiry may be made into his life and conversation. And that he appear at the furthest on Thursday in Ember week, that so such, who upon examination shall be found fit, may have time to prepare themselves by fasting and prayer, before the day of ordination.

III. That every bishop shall be well satisfied, that all persons that are to be ordained, have a real title with a sufficient maintenance, according to the 33^d canon, in which matter we require the bishops to use an especial care.

IV. That a certificate of the age of the person to be ordained, be brought, if it can be, out of the parish register, or at least a certificate very well attested.

V. That the part of the 34th canon, which relates to the giving of certificates concerning the lives and manners of those, who are to be ordained, be strictly looked to. And that the bishops lay it on the consciences of the clergy, that they sign no certificates, unless, upon their own knowledge, they judge the persons to be duly qualified.

VI. That every bishop shall transmit, between Michaelmas and Christmas, to the archbishop of the province a list of all such persons, as have been ordained by him during that year, according to the constitutions in the year M.D.LXXXIV. in order to be put in a public register, which shall be prepared by you for that use.

VII. That the bishops shall reside in their dioceses, and shall take care to oblige their clergy to such residence, as the laws of the land and the canons do require, particularly the 41st canon.

VIII. That they, who keep curates, have none but such as are licensed by the bishop of the diocese, or in exempt jurisdictions by the ordinary of the place having episcopal jurisdiction, as is required both by the act of uniformity and the 48th canon, that so when the incumbent does not reside, the bishop, or such ordinary may know how the cure is supplied; and that no person shall presume to serve any cure without licence from the bishop, or such ordinary, upon pain of suspension.

IX. That you use your most effectual endeavours to suppress the great abuses occasioned by pluralities, and restrain them as much as you can, except where the parishes lie near one another, and the livings are small: that all qualifications be carefully examined: we being determined to have no chaplains to be qualified by us, but such as are admitted to attend upon us. And that due caution be taken before any faculty is granted. And that such persons, as are legally qualified, shall reside at least two months in the year in each of their livings; and provide a curate to serve where they are not in person, with a due maintenance to be determined by the bishop of the diocese, unless the two parishes lie so near, that the incumbent can constantly serve both cures.

X. That the bishops shall look to the lives and manners of their clergy, that they may be in all things regular and exemplary, according to the 75th canon.

XI. That the bishops do use their utmost endeavour to oblige their clergy to have public prayers in the church, not only on holydays and litany days, but as often as may be, and to celebrate the holy sacrament frequently.

XII. That the bishops shall require the clergy to use their utmost endeavours, that the Lord's day be religiously observed. That they set a good example to their people, and exhort them frequently to their duty herein.

XIII. That the bishops remind their clergy to visit the sick frequently, and require them to perform that duty with great care and diligence according to the 67th canon.

XIV. That catechizing be duly performed, according to the 59th canon.

XV. That the bishops be careful to confirm, not only in their triennial visitations, but at other convenient seasons.

XVI. That care be taken, that the archdeacons make their visitations personally; and that, as much as may be, they live within the bounds of their jurisdiction, and do their duty according

ing to the canons.

XVII. That no commutation of penance shall be made, but by the expresse order and directions of the bishop himself, which shall be declared in open court. And that the commutation money shall be applied only to pious and charitable uses, according to the "articuli pro clero" made in the year M.D.LXXXIV. and the constitutions made in the year M.D.XCVII.

XVIII. That no licence for marriage without banns shall be granted by any ecclesiastical judge, without first taking the oaths of two sufficient witnesses, and also sufficient security for performance of the conditions of the licence, according to the 102^d and 103^d canons.

These injunctions we do require you to transmit to the bishops of your respective provinces, to be by them communicated to their clergy, and to be strictly observed, and often enquired after both by you and them. For as we esteem it the chief part of our princely care to promote true religion, as it is established in this church, and in order thereunto, we have de-

termined not to dispose of any church preferments in our gift, but to such of our clergy as we shall have reason to believe do live most exemplarily, and preach and watch most faithfully over the people committed to their charge; so we assure ourself, that these our pious intentions will be effectually seconded by you and the rest of our bishops; and that you will, without favour or partial affection, study to suppress impiety and vice; and to reform all disorders, as far as in you lies; well knowing that nothing will so much advance the great ends of religion, and so certainly secure and establish this church, as the exemplary lives and faithful labours of those who minister in it. And so we commend ourself to your prayers, and bid you very heartily farewell. Given at our court at Kensington the fifteenth day of February, M.DC.XCIV. in the seventh year of our reign.

By his majesty's command.

SHREWSBURY.

Archiepisc. Cant.
THO. TENISON 2.

Anno Christi
1695.

Reg. Angliae
GUILLIEL. III. 7.

Convocatio praelatorum et cleri provinciae Cantuar. et Ebor.

CONVOCATIO praelatorum et cleri provinciae Cantuar. per breve regium et mandatum archiepiscopi ad diem 22. Novembris in ecclesia S. Pauli London. summonebatur.

Ea deinde per aliud breve regium de die in diem et de loco in locum continuata, prorogabatur a die 26. Augusti, anno M.DC.XCVII. ad diem 30. Septembris sequentis, ac tandem post

varias prorogationes per aliud breve regium 12. die mensis Julii, M.DC.XCVIII. dissolvebatur.

ULTIMA, quam archiva Eboracensia nobis exhibent synodum praelatorum et cleri provinciae illius, fuit convocata 20. die mensis Maii, ubi praeter nomina comparentium nihil invenitur.

Archiepisc. Cant.
THO. TENISON 2.

Anno Christi
1695.

Reg. Angliae
GUILLIEL. III. 7.

Directions to our archbishops and bishops, for the preserving of unity in the church, and the purity of the christian faith, concerning the holy Trinity.

WILLIAM R.

MOST reverend and right reverend fathers in God, we greet you well. Whereas we are given to understand, that there have of late been some differences among the clergy of this our realm about their waysof expressing themselves in their sermons and writings, concerning the doctrine of the blessed Trinity, which may be of dangerous consequence, if not timely prevented; we therefore out of our princely care and zeal for the preservation of the peace and unity of the church, together with the purity of the christian faith, have thought fit to send you these following directions, which we straitly charge and command you to publish, and to see that they be observed within your several dioceses.

I. That no preacher whatsoever, in his sermon or lecture, do presume to deliver any o-

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ther doctrine concerning the blessed Trinity, than what is contained in the holy scriptures, and is agreeable to the three Creeds and the thirty nine articles of religion.

II. That in the explication of this doctrine they carefully avoid all new terms, and confine themselves to such ways of expression, as have been commonly used in the church.

III. That care be taken in this matter, especially to observe the fifty third canon of this church, which forbids public opposition between preachers, and that above all things they abstain from bitter invectives and scurrilous language against all persons whatsoever.

IV. That the foregoing directions be also observed by those, who write any thing concerning the said doctrine.

And whereas we also understand, that divers persons, who are not of the clergy, have of late presumed not only to talk and to dispute against the christian faith concerning the doctrine

doctrine of the blessed Trinity, but also to write and publish books and pamphlets against the same, and industriously spread them through the kingdom, contrary to our known laws established in this realm; we do therefore strictly charge and command you, together with all other means suitable to your holy profession, to make use of your authority according to law, for the repressing and restraining of all such exorbitant practices: and for your assistance we will give charge to our judges, and all other

our civil officers, to do their duty herein, in executing the laws against all such persons, as shall by these means give occasion of scandal, discord, and disturbance in our church and kingdom. Given at our court at Kensington the third day of February, M.DC.XCV. in the seventh year of our reign.

By his majesty's command.

SHREWSBURY.

Archiepisc. Cant.
THO. TENISON 2.

Anno Christi
1695.

Reg. Angliae
GUILLIEL. III. 7.

An act for the more effectual suppressing prophane cursing and swearing.

WHEREAS it is found by experience, that an act of parliament made in the one and twentieth year of the reign of king James the first, entituled, "An act to prevent and reform prophane swearing and cursing," hath proved ineffectual to the suppressing of those detestable sins, by reason of some deficiencies in the said act; be it therefore enacted by the king's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by the authority of the same, that if any person or persons shall (after the four and twentieth day of June, in the year of our Lord one thousand six hundred ninety five) prophane-ly swear or curse in the presence or hearing of any justice of peace of the county, riding, or division, or of the mayor or other head officer, or justice of peace for any city or town corporate, where such offence is or shall be committed, or that shall be thereof convicted by oath of one witness, or by the confession of the party offending, before any justice of peace of the county, or mayor, or bailiff, or other chief officer or justice of the peace of such city and town corporate, where the said offence shall be committed, that then, for every such offence the party so offending, shall forfeit and pay to the use of the poor of the parish, where such offence or offences shall be committed, the respective sums herein aftermentioned (that is to say) every servant, day labourer, common soldier, and common seaman one shilling, and every other person two shillings; and in case any of the persons aforesaid, shall, after conviction, offend a second time, such person shall forfeit and pay double; and if a third time, treble the sum respectively by him or her to be paid for the first offence. And it is hereby further enacted, that upon neglect or refusal of payment of the said forfeiture, any justice of peace of the county, riding, or division, or mayor, or other head officer, or justice of peace of any city, or town corporate, where the said offence shall be committed, shall, and are hereby authorized and required to direct and send his warrant to the constable, tithingman, churchwarden, or overseer of the poor of the parish, where the offence shall be committed, or where the offender shall inhabit, thereby

commanding them, or some one or more of them, to levy by distress and sale of the goods of the offender the sum so forfeited, for the use of the poor of the parish, as aforesaid; and in case no such distress can be had, then every such offender, being above the age of sixteen years, shall, by warrant under the hand and seal of the said justice of peace or other officer as aforesaid, be publickly set in the stocks for the space of one hour for every single offence, and for any number of offences, whereof he shall be convicted at one and the same time, then two hours; and if the party offending be under the age of sixteen years, and shall not forthwith pay the said forfeitures, then he or she shall, by warrant, as aforesaid, be whipped by the constable, or by the parent, guardian, or master of such offender in the presence of the constable.

And be it further enacted, that if any justice of the peace, or chief magistrate shall wilfully and wittingly omit the performance of his duty in the execution of this act, he shall forfeit the sum of five pounds, the one moiety to the use of the informer, to be recovered by action, suit, bill, or plaint, in any of his majesty's courts at Westminster, wherein no essoin, protection, or wager of law shall be allowed, nor any more than one imparlance.

And it is hereby further enacted, that if any action or suit shall be commenced or brought against any justice of peace, constable, or other officer, or person whatsoever, for doing or causing to be done any thing in pursuance of this act, concerning the said offences, the defendant, in such action, may plead the general issue, and give the special matter in evidence; and if upon such action, verdict be given for the defendant, or the plaintiff become nonsuit, or discontinue his action, then the defendant shall have treble costs.

Provided always, and it is hereby enacted, that no person shall be prosecuted or troubled for any offence against this statute, unless the same be proved or prosecuted within ten days next after the offence committed.

And it is further enacted by the authority aforesaid, that this act shall be publickly read four several times in the year in all parish, churches, and all public chapels, by the parson, vicar,

Vicar, or curate of the respective parishes or chapels, immediately after morning prayer, on four several Sundays (that is to say) the Sunday next after the four and twentieth day of June, the nine and twentieth day of September, the five and twentieth day of December, and the five and twentieth day of March, under the pain of twenty shillings for every such omission or neglect.

And be it further enacted by the authority aforesaid, that the justice of peace, mayor, or o-

ther head officer shall register in a book, to be kept for that purpose, all the convictions made before him upon this act, and the time of making thereof, and for what offence, and shall certify the same to the next general quarter sessions of the peace for the said county or place, where the offences are committed, to be there kept upon record by the respective clerks of the peace, to be seen without fee or reward.

Archiepisc. Cant.
THO. TENISON 3.

Anno Christi
1696.

Reg. Angliae
GUILLIEL. III. 8.

A declaration of the sense of the archbishops and bishops, now in and about London, upon the occasion of their attendance in parliament; concerning the irregular and scandalous proceedings of certain clergymen at the execution of Sir John Friend and Sir William Parkins.

WE the archbishops and bishops, now in and about London, upon occasion of our attendance in parliament, having seen a printed paper, entituled "A true copy of the papers delivered by Sir John Freind, and Sir William Parkings, to the sheriffs of London and Middlesex, at Tyburn the place of execution, April 3. M.DC.XCVI." and being also certainly informed of the most irregular behaviour of Mr. ^aCooke, Mr. ^bCollier, and Mr. ^cSnatt, in pretending to absolve the said criminals at their execution, to the great scandal of the church, and of our holy religion, have therefore thought ourselves obliged to declare our sense of the same, as here followeth:

I. As to the paper before mentioned, we cannot but observe, that in that part, to which Sir John Freind is entituled, among many other things there delivered as his private opinion (for which we must leave him to God) there are mingled some things concerning the church of England to the great dishonour and reproach of it. That venerable name is by the author of that paper appropriated to that part of our church, which hath separated itself from the body; and more particularly to a faction of them, who are so furiously bent upon the restoring of the late king, that they seem not to regard by what means it is to be effected. We have a sad instance of it in this very person, who (as was deposed at his tryal) was privy to the horrid design of assassination, and yet neither discovered it, nor shewed any dislike of it, but as he was afraid it might ruin king ^dJames, and his affairs; and was ready also, together with others of the same christian principle (as the author of his paper is bold to call it) to act in conjunction with an army of French papists, for the ruin of their country, and extirpation of that religion, which they themselves do profess.

II. As for Sir William Parkins, who also professed to die in the communion of the church of England, we cannot think he meant any

thing else by it, than that he adhered to the same violent faction; being assured (as we are by very good information) that both he and Sir John Friend had withdrawn themselves from our public assemblies some time before their death. Which makes us the less wonder to find in both their papers so light, and even favourable a mention of that most inhuman design of assassinating his sacred majesty; especially in that of Sir William Parkins, who though he was publickly convicted of his having engaged so many in that horrible sin, yet after all could think to clear himself of it with this wretched excuse: "'Tis true, I was privy to the design upon the prince, but was not to act in it." Blessed be God, there never was any of our church, that in any change of times could have this laid to his charge, that he was so much as privy to a design of assassination.

Lastly, For those clergymen that took upon them to absolve these criminals at the place of execution, by laying, all three together, their hands upon their heads, and publickly pronouncing a form of absolution; as their manner of doing this was extremely insolent and without precedent either in our church, or any other that we know of, so the thing itself was altogether irregular.

The rubric in our office of the visitation of the sick, from whence they took the words they then used, and upon which, if upon any thing in our liturgy, they must ground this their proceeding, gave them no authority nor no pretence for the absolving these persons; nay as they managed the affair, they acted in this absolution far otherwise, than is there directed.

That rubric is concerning sick persons, and it is there required, first, that "the sick person shall be moved to make a special confession of his sins, if he feel his conscience troubled with any weighty matter, and then after such confession, the priest shall absolve him, if

^a Shadrach Cooke, A. M. lecturer of Islington.
inn.

^b Jeremiah Collier, A. M. lecturer or afternoon preachers at Grey's
^c William Snatt, A. M. prebendary of Chichester and vicar of Cockfield, Suffex.

^d Tryal p. 17.

he humbly and heartily desire it." But here they absolved, and that publickly, persons condemned by law for execrable crimes, without so much as once moving them at that time to make a special confession of their sins, at least of those sins for which they were condemned. And on the other side, here were persons absolved that did not humbly desire absolution, as feeling any such weighty matter to trouble their conscience; but on the contrary, in Sir John Friend's paper it is declared, that he had a great deal of satisfaction in suffering for that cause which he firmly believed to be the cause of God and true religion.

If these ministers knew not the state of these mens souls, before they gave them absolution, as it is manifest two of them Mr. Snatt and Mr. Cooke, did not; as to Sir William Parkins (they having since declared, that he had not spoke with Sir William till they were at the place of execution) how could they without manifest transgression of the church's order, as well as the profane abuse of the power Christ has left with his ministers, absolve them from all their sins.

If they were acquainted with these mens sentiments declared in their papers, then they must look upon them, either as hardened impenitents, or as martyrs.

We are so charitable to believe that they would not absolve them under the former notion; for that had been, in effect, sealing them to damnation; but if they held these men to be martyrs, then their absolving them in that manner was a justification of those grievous crimes, for which these men suffered, and an

open affront to the laws both of church and state.

Upon the consideration of these things, and for the doing of right to our church, which may otherwise suffer, among such as are strangers to our constitution, by the evil principles and practices, both of the aforesaid criminals, and the three clergymen that assisted them, who all pretended to be members of the church of England; we do declare that we disown and detest all such principles and practices; looking upon them as highly schismatical and seditious, dangerous both to church and state, and contrary to the true doctrine and spirit of the christian religion. And we also take this occasion to warn and exhort all the people committed to our charge, to beware of such seducers and to avoid them; lest (as the apostle St. Peter speaks) "they be led away with the error of the wicked," and fall from their stedfast adherence to the principles of the true church of England, as it was established at the blessed reformation of religion, and as by God's especial providence it continues to this day.

April 10. M.DC.XCVI.

Tho. Cantuar.	Sy. Eliens.
Joh. Ebor.	Gil. Hereford.
Henr. London.	Jo. Norwich.
Nath. Duresme.	Ric. Peterb.
P. Winchester.	Ed. Gloucester.
W. Cov. and Lich.	Rob. Chichester.
Tho. Roffen.	E. Asaph.

Archiepisc. Cant.
THO. TENISON 4.

Anno Christi
1697.

Reg. Angliae
GUILIEL. 9.

An act for the more effectual suppressing of blasphemy and profaneness.

WHEREAS many persons have of late years openly avowed and published many blasphemous and impious opinions, contrary to the doctrines and principles of the christian religion, greatly tending to the dishonour of almighty God, and may prove destructive to the peace and welfare of this kingdom; wherefore for the more effectual suppressing of the said detestable crimes, be it enacted by the king's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and the commons in this present parliament assembled, and by the authority of the same, that if any person or persons, having been educated in, or at any time having made profession of the christian religion within this realm, shall, by writing, printing, teaching, or advised speaking, deny any one of the persons in the holy Trinity to be God, or shall assert or maintain there are more Gods than one, or shall deny the christian religion to be true, or the holy scriptures of the Old and New Testament to be of divine authority, and shall upon indictment or information in any of his majesty's courts at Westminster, or at the assizes be thereof lawfully convicted by the oath of two or more

credible witnesses, such person or persons for the first offence shall be adjudged incapable and disabled in law, to all intents and purposes whatsoever, to have or enjoy any office or offices, employment or employments, ecclesiastical, civil or military, or any part in them, or any profit or advantage appertaining to them or any of them; and if any person or persons so convicted, as aforesaid, shall at the time of his or their conviction, enjoy or possess any office, place or employment, such office, place, or employment shall be void, and is hereby declared void. And if such person or persons shall be a second time lawfully convicted, as aforesaid, of all or any the aforesaid crime or crimes, that then he or they shall from thenceforth be disabled to sue, prosecute, plead, or use any action or information in any court of law or equity, or to be guardian of any child, or executor or administrator of any person, or capable of any legacy or deed of gift, or to bear any office, civil or military, or benefice ecclesiastical, for ever within this realm, and shall also suffer imprisonment for the space of three years, without bail or mainprize, from the time of such conviction.

Provided

Provided always, and be it enacted by the authority aforesaid, that no person shall be prosecuted by virtue of this act, for any words spoken, unless the information of such words shall be given upon oath before one or more justice or justices of the peace, within four days after such words spoken, and the prosecution of such offence be within three months after such information.

Provided also, and be it enacted by the authority aforesaid, that any person or persons, convicted of all or any of the aforesaid crime

or crimes, in manner aforesaid, shall for the first offence (upon his, her, or their acknowledgment and renunciation of such offence or erroneous opinions, in the same court where such person or persons was or were convicted, as aforesaid, within the space of four months after his, her, or their conviction) be discharged from all penalties and disabilities incurred by such conviction; any thing in this act contained to the contrary thereof in any wise notwithstanding.

Archiepisc. Cant.
THO. TENISON 4.

Anno Christi
1697.

Reg. Angliae
GUILLIEL. III. 16.

A proclamation for preventing and punishing immorality and profaneness.

By the king.

WILLIAM R.

WHEREAS we cannot but be deeply sensible of the great goodness and mercy of almighty God in putting an end to a long, bloody, and expensive war by the conclusion of an honourable peace, so we are not less touched with a resentment, that notwithstanding this and many other great blessings and deliverances, impiety, profaneness, and immorality do still abound in this our kingdom; and whereas nothing can prove a greater dishonour to a well ordered government, where the christian faith is professed, nor is likelier to provoke God to withdraw his mercy and blessings from us, and instead thereof, to inflict heavy and severe judgments upon this kingdom, than the open and avowed practice of vice, immorality, and profaneness, which amongst many men has too much prevailed in this our kingdom of late years, to the high displeasure of almighty God, the great scandal of christianity, and the ill and fatal example of the rest of our loving subjects, who have been soberly educated, and whose inclinations would lead them to the exercise of piety and virtue, did they not daily find such frequent and repeated instances of dissolute living, profaneness, and impiety, which has in a great measure been occasioned by the neglect of the magistrates not putting in execution those good laws, which have been made for suppressing and punishing thereof, and by the ill example of many in authority, to the great dishonour of God, and reproach of our religion: wherefore, and for that we cannot expect increase or continuance of the blessings we and our subjects enjoy, without providing remedies to prevent the like evils for the future, we think ourselves bound by the duty we owe to God, and the care we have of the people committed to our charge, to proceed in taking effectual course, that religion, piety, and good manners may, according to our hearty desire, flourish and increase under our administration and government; and being thereunto moved by the pious address of the commons in parliament assembled, we have thought fit, by the

advice of our privy council, to issue this our royal proclamation, and do declare our royal purpose and resolution to discountenance and punish all manner of vice, immorality, and profaneness in all persons from the highest to the lowest degree within this our realm, and particularly in such, who are employed near our royal person; and that for the greater encouragement of religion and morality, we will, upon all occasions distinguish men of piety and virtue by marks of our royal favour. And we do expect that all persons of honour, or in place of authority, will to their utmost contribute to the discountenancing men of dissolute and debauched lives, that they being reduced to shame and contempt, may be enforced the sooner to reform their ill habits and practices, that the displeasure of good men towards them may supply what the laws (it may be) cannot wholly prevent. And for the more effectual reforming these men, who are a discredit to our kingdom, our further pleasure is, and we do hereby strictly charge and command all our judges, mayors, sheriffs, justices of the peace, and all other our officers and ministers, both ecclesiastical and civil, and other our subjects, whom it may concern, to be very vigilant and strict in the discovery and the effectual prosecution and punishment of all persons, who shall be guilty of excessive drinking, blasphemy, profane swearing and cursing, lewdness, profanation of the Lord's day, or other dissolute, immoral, or disorderly practices, as they will answer it to almighty God, and upon pain of our highest displeasure. And for the more effectual proceedings herein, we do hereby direct and command our judges of assizes and justices of the peace, to give strict charges at the respective assizes and sessions, for the due prosecution and punishment of all persons, that shall presume to offend in any the kinds aforesaid, and also of all persons that contrary to their duty, shall be remiss or negligent in putting the said laws in execution, and that they do at their respective assizes and quarter sessions of the peace cause this our proclamation to be publicly read in open court, immediately before the charge is given. And we do hereby further charge and command every minister

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in his respective parish or chapel, to read or cause to be read this our proclamation, at least four times in every year, immediately after divine service, and to incite and stir up their respective auditories to the practice of piety and virtue, and the avoiding of all immorality and profaneness. And to the end that all vice and debauchery may be prevented, and religion and virtue practised by all officers, private soldiers, mariners, or others, who are employed in our service either by sea or land, we do hereby strictly charge and command all our commanders and officers whatsoever, that they do take care to avoid all profaneness, debauchery, and other immoralities, and that by the piety and virtue of their own lives and conversations they do set good examples to all such as are under their authority, and likewise to take care and inspect the behaviour and manners of all such as are under them, and to punish all those, who shall be guilty of any the offences aforesaid. And whereas several wicked and profane persons have presumed to print and publish several pernicious books and pamphlets, which contain in them impious doctrines against the holy

Trinity and other fundamental articles of our faith, tending to the subversion of the christian religion; therefore for the punishing the authors and publishers thereof, and for the preventing such impious books and pamphlets being published or printed for the future, we do hereby strictly charge and prohibit all persons, that they do not presume to write, print, or publish any such pernicious books or pamphlets under the pain of incurring our high displeasure, and of being punished according to the utmost severity of the law. And we do hereby strictly charge and require all our loving subjects to discover and apprehend such person and persons, whom they shall know to be the authors or publishers of any such books or pamphlets, and to bring them before some justice of peace or chief magistrate, in order that they may be proceeded against according to law. Given at our court at Kensington the four and twentieth day of February, M.DC.XCVII. in the tenth year of our reign.

God save the king.

Archiepisc. Cant.
THO. TENISON 4.

Anno Christi
1698.

Reg. Angliae
GUILLIEL. III. 10.

Convocatio provinciae Cantuar.

CLERUS provinciae Cantuar. per breve regium dat. Julii undecimo die ad 24. men-

sis sequentis Augusti convocabatur.

Archiepisc. Cant.
THO. TENISON 7.

Anno Christi
1700.

Reg. Angliae
GUILLIEL. III. 12.

Synodus cleri provinciae Cantuar.

CLERUS provinciae Cantuar. per breve regium dat. Decemb. 26. ad sextum diem

menfis Februarii sequentis convocabatur.

The report of the committee of the lower house of convocation appointed for the examination of books lately published against the truth of the christian religion, as to part of the matter to them referred, made on Thursday the twentieth of March, in the year of our Lord, juxta, etc. M.DCC. as follows: viz.

UPON the perusal of the book and schedule hereunto annexed, laid before this committee by Mr. vicechancellor of Oxford on Tuesday the eleventh day of this instant March, this committee came to the following resolutions, "nemine contradicente," hereupon: viz.

Resolved first,

That in the judgment of the committee the said book is a book of pernicious principles, of dangerous consequence to the christian religion, written on a design, as we conceive, and tending to subvert the fundamental articles of the christian faith.

Resolved secondly,

That in the judgment of this committee the positions extracted out of the said book, and therewith hereunto annexed, are, together with divers others of the like nature therein contain-

ed, pernicious, dangerous, and scandalous positions, and destructive of the christian faith.

Resolved thirdly,

That to prevent the growth of these and the like pernicious principles, it is the opinion of this committee, that some speedy course ought to be taken for suppressing this and all other books of the like mischievous nature and tendency.

Resolved fourthly,

That in order thereunto, it is also the opinion of this committee, that an humble representation of the premisses be forthwith laid by this house before the lords the bishops of the upper house, praying their lordships concurrence with these resolutions, together with their advice and directions, what effectual course may be taken to suppress these, and all other per-

nicious

The report of the committee of the L. H. of convocation, etc. 631

nicious books, already written against the truth of the christian religion, and to prevent the publication of the like for the future.

A schedule of positions extracted out of the book herewith annexed, entitled, "Christianity not mysterious," and bearing the name of John Toland, printed at London in octavo, anno Domini M.DC.XCVI. in which the author expressly says, as follows:

Pos. 1. page 80. § xiv. he saith: "I conclude, that neither God himself, nor any of his attributes are mysteries to us for want of adequate ideas."

Pos. 2. page 107. § xxxiv. he saith: "No doubt on't, as far as any church allows of mysteries, so far it is antichristian, and may with a great deal of justice, tho' little honour, claim kindred with the scarlet whore."

Archiepisc. Cant.
THO. TENISON 7.

Anno Christi
1700.

Reg. Angliae
GUILLIEL. III. 13.

A representation of the upper house of convocation of a book, called "The balance of power." [March 22.]

WHEREAS this day a book entitled, "Essays upon I. The ballance of power; II. The right of making war, peace, and alliances; III. Universal monarchy, etc." was brought into the Jerusalem chamber, where his grace the archbishop of Canterbury, and the rest of the suffragan bishops of his province were assembled in convocation; in the 40th page of which book are these words: "Are not a great many of us able to point out to several persons, whom nothing has recommended to places of highest trust, and often to rich benefices and dignities, but the open enmity, which

they have, almost from their cradles, professed to the divinity of Christ?"

It is desired by the said archbishop and bishops, that the author himself, whoever he be, or any one of the great many, to whom he refers, would point out to the particular persons, whom he or they know to be liable to that charge, that they may be proceeded against in a judicial way, which will be esteemed a great service to the church; otherwise the above mentioned passage must be looked upon as a public scandal.

Archiepisc. Cant.
THO. TENISON 7.

Anno Christi
1701.

Reg. Angliae
GUILLIEL. III. 13.

The answer of the archbishop and bishops to the representation of the lower house of convocation concerning Toland's and other books. [April 8.]

UPON our consulting with counsel learned in the law concerning heretical, impious, and immoral books, and particularly concerning a book of Toland's sent up to us from the lower house, we do not find how without a licence from the king, which we have not yet

received, we can have sufficient authority to censure judicially any such books; but on the contrary we are advised, that by so doing both houses of convocation may incur the penalties of the statute of 25 Hen. VIII.

Convocatio cleri provinciae Cantuar.

PRAELATI et clerus provinciae Cantuar. per breve regium dat. Novemb. 13. ad tri-

cesimum diem mensis Decembris hujus anni convocabantur.

Archiepisc. Cant.
THO. TENISON 8.

Anno Christi
1702.

Reg. Angliae
ANNAE I.

Convocatio praelatorum et cleri prov. Cant.

BREVE regium dat. August. 20. praelatos et clerum prov. Cantuar. ad vicesimum diem

eiusdem mensis convocabat.

Convo-

632 CONVOCATIO PRAELATORUM ET CLERI PROV. CANT.

Archiepisc. Cant.
THO. TENISON 11.

Anno Christi
1705.

Reg. Angliae
ANNAE 4.

Convocatio praelatorum et cleri provinciae Cantuar.

PRAELATI et clerus provinciae Cantuar. quantum mensis Junii sequentis convocabantur, per breve regium dat. Maii 2. ad decimum

Archiepisc. Cant.
THO. TENISON 12.

Anno Christi
1705.

Reg. Angliae
ANNAE 4.

Papers relating to the convocation of Ireland.

WE, whose names are underwritten, members of the lower house of convocation in Ireland, being desired by our brethren of the lower house of convocation in England to give them an account in their house of several rights and usages, enjoyed and practised by that house, of which we are members, did accordingly on Monday the fourth of February, M.DCC.V. give our answers to several questions proposed to us by the prolocutor; and being farther requested to draw up the substance of what we then delivered, do now in compliance with their desires give into the said house this following account, to be in such manner by them made use of, as they in their wisdom shall think most fit.

The members of the lower house of this present convocation in Ireland were summoned, elected, and returned by virtue of the praemunientes clause in the bishops parliamentary writs, which clause was executed by all the bishops throughout the kingdom; but the clergy deferred the electing of a prolocutor, and the proceeding to business, until the reception of the provincial writs by the several archbishops.

After the said reception of the provincial writs, the members met, in order to chuse a prolocutor, in St. Patrick's church Dublin, and were there directed by the bishops to proceed to the choice. They thereupon withdrew into the chapter house of the said church, where the dean of St. Patrick's took the chair, claiming it as his right to preside in that place, during the election; but the members would by no means allow his claim, nor did they proceed to the election, till he first quitted the chair.

He did then quit it, and the members elected him to preside, and assum'd a public notary to make a notorial act of the election.

As soon as the prolocutor was chosen, the dean of St. Patrick's, having declared the election, left the chair, and then the prolocutor, having put on his doctor's hood, was conducted into it by two of the members.

The prolocutor being in the chair, the house immediately chose the same person to be their actuary, whom they had before assumed as a public notary: all this was done before the confirmation of the prolocutor by the bishops.

The returns of all members were made to the several archbishops, and a list of the members of the lower house was transmitted to the

lower house from the upper.

A standing committee of elections was at the beginning of the convocation appointed to judge of elections, if any should be controverted, but none were. The aforesaid committee and all other committees of the lower house were appointed by the sole authority of that house.

Calls of the house were frequent, and always appointed by the house itself, and all members were then ordered to appear in their several places; and when any upon such call were absent, and not satisfactory account was given of their absence, the prolocutor or the actuary was ordered by the house to signify to such members, that the house demanded their attendance: upon such signification of the commands of the house, the members do either appear personally, or send letters of excuse to the prolocutor; of which excuse the house judges, and either allows or disallows it, as they see cause.

When such excuse has been disallowed by the house, and the members have still neglected to appear, the names of such members contumaciously absent have been laid before the bishops; and when any of the said members have afterwards sent such excuses, as the house hath allowed, that allowance hath been signified to the bishop.

No member doth ever presume to depart from the synod without asking leave of the house, and no application (that we know of) hath ever been made to the bishops for their leave, till that of the lower house was first obtained; but when we have procured the leave of our own house, we look upon ourselves always obliged to crave that of their lordships also, they having a just right to our attendance on them in synod.

In case of a vacancy by the death or promotion of a proctor, or by one proctor's being chosen for two places, and declaring for which of the two he will serve, the lower house signifies such vacancy to the upper house, praying their lordships, that it may be supplied; and thereupon a mandate issues from the bishop of the diocese, in which such vacancies happen, for the election of a new member; which, when made and returned, is notified to the prolocutor by the upper house, and upon his reporting it to the lower, the person elected is by two members introduced into the house, and there takes his place.

When

When the upper and lower house have concurrent sessions, the lower house always continues sitting, till they have notice, that the upper house is adjourned; which notice was at first brought by the bishops actuary by word of mouth, but, to avoid mistakes, hath at the desire of the lower house since been brought by him in writing.

The form, in which this notice is given, is various; it is said sometimes, that the president, archbishops, and bishops; sometimes, that the archbishops and bishops have adjourned this convocation or the convocation to such or such a time and place.

The lower house do not upon such notice ever break up their session, but always proceed in their business, till a motion is made by some member of the house for adjourning; which motion by a standing order of the house can never (in a morning session) be made without leave of the house, before one a clock.

The prolocutor, before he puts the question of adjournment, reports to the house, what time the bishops have adjourned to; and then the lower house adjourns itself to that time, or to any time short of that by the authority and consent of the house: which power of the lower house to adjourn itself was own'd and allowed by the archbishops and bishops then in Dublin, in their answer to some queries sent to them by the right honourable the earl of Nottingham, then principal secretary of state in England, before the calling of this convocation.

The lower house doth very frequently hold intermediate sessions, which they look upon to be as regular, as those, which are concurrent with the sessions of the bishops; and do in their books stile them sessions, and number them among others without any discrimination.

All messages sent from the lower house to

the upper, are reduced into writing, and signed by the prolocutor, and by him read in the upper.

The lower house doth admit members, who dissent from the resolutions of the house, to enter upon their books a protestation against such resolution, either with reasons or without; but the house never permits any thing to be entered, which reflects on the honour of the house.

We never heard of any protestation made in the upper house by members of the lower.

Such papers, as have been by the prolocutor offered to the bishops, have been by their lordships constantly received.

The sessions of the upper house, tho' less frequent than those of the lower, are yet so ordered by their lordships, that business hath never been interrupted for want of synodical meetings.

We do, in the last place, declare our deepest and most grateful sense of the paternal tenderness of our archbishops and bishops for the lower clergy, very observable in their lordship's great zeal and readiness to concur with them on all occasions in the recovery and preservation of their rights, and in every other good work; and are heartily thankful to almighty God, that we do enjoy all these several rights and privileges without the least struggle, contest, or difference with their graces and lordships; and do bless him for the perfect unity and harmony between both houses, which being so very conspicuous, we look upon to be a great security to that national church, a great discouragement to her professed enemies, and a great vexation and disappointment to the more close and dangerous underminers of her apostolic and orthodox constitution.

William Percivale, archdeacon of Cashel.
Francis Higgins, proctor for the diocese of Ossory.

Archiepisc. Cant.
THO. TENISON 12.

Anno Christi
1705.

Reg. Angliae
ANNAE 4.

A letter of the lower house to the archbishop and bishops about books and writings. — [Febr. 19.]

To the most reverend the president, and the right reverend the bishops in convocation assembled.

THE lower house of convocation think it becomes them to remind your lordships of a motion formerly made by them concerning a bill "for the more easy and speedy recovery of church rates," and to pray your lordships, that till such a bill can be obtained, your lordships would use your best endeavours towards preventing those dilatory and expensive methods of proceeding in courts ecclesiastical, which have been so much complained of on that occasion.

They have likewise taken into consideration the representation of grievances formerly offered

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to your lordships, together with the speech of your grace relating thereunto; and are much concerned to find, that that representation, tho' containing sundry proposals of great importance, as they conceive, towards reviving the discipline of the church by a due execution of the canons already in force, hath not yet had its desired effect.

In the mean time they think it proper to observe to your lordships, that, notwithstanding her majesty's pious care to repress and restrain the great enormities of the stage, for which the then lower house moved your lordships without success, that the humble thanks of the convocation might be given to her majesty; yet they find still great reason to complain of the immorality and profaneness of the stage,

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stage, of which there is a fresh flagrant instance in a profane prologue lately spoken at the opening of the new theatre in the Hay-market, and since printed and published.

They do also look upon themselves as in duty bound to complain to your lordships of the daring insults upon the clergy, the universities, and the constitution itself continually made by the licentious writers, particularly by the authors of the "Review" and "Observer"; and to pray your lordship's concurrence in an humble representation to her majesty of this great grievance and of the mischiefs, which must redound to our holy church and religion, if such open assaults upon our order, upon the places of our education, and upon our legal establishment shall continue to be made with impunity.

As likewise to inform your lordships of the scandal given to all good christians by an assembly of sectaries, under the name of Unitarians, publicly held in the city of London, the teacher whereof is notoriously known to have been convicted of denying the divinity of our blessed Saviour.

And moreover to acquaint your lordships with the late lewd and profane writings of Edmund Hickingill, rector of St. Mary's Colchester, which have brought so great scandal upon our church and holy order. And they must at the same time declare their grateful sense of the pastoral vigilance and exemplary zeal of the right honourable and right reverend the present lord bishop of London, of which he hath given constant proofs in endeavouring to bring such offenders to condign punishment; but hath met with insuperable difficulties therein; the removal of which by such methods, as may be effectual, doth, in the opinion of this house, highly deserve the mature consideration of this provin-

cial synod.

Nor can they omit taking notice of the present endeavours of several reformed churches to accommodate themselves to our liturgy and constitution, mentioned in the late form of an address sent down by your lordships. They are very desirous of knowing your lordships opinion, in what manner it may be proper for this convocation, with her majesty's leave and encouragement, to express their great satisfaction to find in them such good dispositions, and their readiness to maintain and cherish such a fraternal correspondence with them, as may strengthen the interest of the reformed religion against the common enemy.

They do further propose to your lordships consideration, what fit methods may (with the same leave and encouragement) be taken by this synod, for inviting and inducing the pastors of the French protestant churches among us to use their best endeavours with their people for an universal reception of our liturgy; which hath had the approbation of their most eminent divines, hath been long used in several of their congregations within this kingdom, and by her majesty's special influence hath been lately introduced into the French congregation held in the chapel near her royal palace.

They do, in the last place earnestly desire your lordships, that some synodical notice may be taken of the dishonour done to the church by a sermon preached by Mr. Benjamin Hoadly at Saint Lawrence Jewry Sept. 29. M.DCC.V. containing positions contrary to the doctrine of the church, expressed in the first and second parts of the homily against disobedience or wilful rebellion.

These several heads of information and complaint they are ready to make good by special proofs, whenever your lordships shall be pleased to demand them.

Archiepisc. Cant.
THO. TENISON 13.

Anno Christi
1707.

Reg. Angliae
ANNAE 9.

His grace the lord archbishop of Canterbury's circular letter to the right reverend the lords bishops of his province: in which is inserted her majesty's gracious letter to him of the eighth of April, M.DCC.VII. relating to matters in convocation.

To the right reverend the lord bishop of —

Right reverend brother.

ON the eighth day of this instant April I received a letter from her most gracious majesty, the contents of which I was therein required to communicate to the bishops and clergy of my province in convocation assembled.

The convocation at that time stood prorogued to April the tenth, on which day we met; and those of the lower house, who were present, being call'd up to the Jerusalem chamber, I did, in pursuance of her majesty's order, communicate to them her said gracious letter.

But the prolocutor being absent, and very few of the lower house appearing, I thought it

proper, in a matter of so great importance, to acquaint all the clergy of my province not only with the letter it self, but with divers other matters, which give light to it, and without which those, who were absent, will not be able to comprehend the full scope and intention of it.

I would therefore desire you to acquaint the clergy of your diocese, as soon as conveniently you can, with the following particulars.

On the twelfth of February last, by virtue of a royal writ then received, I prorogued the convocation to March the fifth following.

On the 19th of March the lower house did, by their prolocutor, deliver to the president an application in these words:

To

To the most reverend his grace the lord archbishop of Canterbury, and the right reverend the bishops of the upper house of convocation.

May it please your grace, and your lordships.

"We the clergy of the lower house of convocation beg leave to acquaint your lordships, that some of our members have carefully compared the several royal prorogations of the parliament, and of the synod of the province of Canterbury, from the year of our Lord M.D.XXXII. when the first royal writ for proroguing the convocation issued, to the year of our Lord M.DCC.V. when this present convocation first assembled.

Upon the perusal of a schedule thereof, which we are ready to lay before your lordships at your next session, your lordships will be pleased to observe, that within the period abovemention'd, containing one hundred seventy three years, there is no one instance of a writ of prorogation issuing, during the session of parliament, to dismiss the clergy, when met in convocation.

We do therefore in all humility and earnestness beseech your lordships, that out of that conscientious regard, which we doubt not but your lordships have for the welfare of the church of England, you will use your utmost endeavours, that your lordships, and the clergy of this province may enjoy the same usages, which your lordships protestant predecessors and ours have been in constant possession of, and have never misemploy'd."

As to the schedule mention'd in the foregoing paper, for the support of their assertion therein, they did not bring it up till March 26. on which day it was offer'd and receiv'd.

After a perusal of it, the president and his suffragans caus'd a paper to be drawn up at large, containing a vindication of her majesty's proceeding; together with observations on their schedule, and an appendix relating further to it. But the matter of the said application being of so high and nice a nature, they did forbear, at that time, to give them any other answer than this, which follows:

April 2. M.DCC.VII.

Mr. prolocutor, and the rest of the clergy with you.

"We have perused and consider'd your application brought up on the 19th of March last past, and your schedule mention'd therein, and brought up on the 26th of the same month; and are prepar'd to shew, that your assertion in the aforesaid application, together with what is offer'd as a support of it in the said schedule, is in many particulars far from being true.

But it appearing to us, that the matter therein contain'd does highly concern her majesty's royal supremacy (which she was pleas'd to de-

clare in her gracious letter of Feb. 25. M.DCC.V. that she was resolv'd to maintain, as a fundamental part of the constitution of the church of England) we think it not proper to make any further step in relation thereunto, till we have humbly laid the same before her majesty.

On April 5. (the day to which the convocation was prorogu'd) some of the lower house brought up a short declaration; which, it seems, they had enter'd upon their minutes on Mar. 5. but did not acquaint the upper house therewith till the 5th of April; when the prolocutor, with four or five more, brought up the following paper:

May it please your grace and your lordships:

"The clergy of the lower house of convocation humbly pray, that when your grace shall be pleas'd to lay before her majesty the application and schedule lately brought up to your grace, the following declaration, made antecedently to their application, may also be laid before her majesty, as transcribed from the minutes; viz. that they did not thereby intend to enter into any manner of debate concerning the validity of the late royal prorogation, to which they have humbly submitted.

The same day (April 5.) the president and his suffragans having been informed, that divers of the lower clergy had dissented from the foresaid application, and that their dissent was enter'd in the acts of the lower house, did direct a copy thereof to be taken, and brought before them; which was done accordingly.

All the foregoing papers having been review'd, the president, with the consent of his suffragans, did humbly lay them, together with the schedule and vindication, before the queen; and her majesty, after consideration had of them, was pleas'd to send to the said president the abovemention'd gracious letter, a true copy of which is here subjoin'd:

ANNE R.

Most reverend father in God, our right trusty and right entirely beloved counsellor, we greet you well. In our letter to you, bearing date the twenty fifth day of February, M.DCC.V. which we directed to be communicated to the bishops and clergy of the convocation of your province, we declared our resolution to maintain our supremacy, and the due subordination of presbyters to bishops, as fundamental parts of the constitution of the church of England.

We did hope, that so plain a declaration of our royal intention would have been a sufficient warning to those of the clergy, whose innovations (contrary to the duty they owed to us, and their ecclesiastical superiours) gave us occasion to make it. Yet, contrary to our expectation, we understand, that not only the former illegal practices are continued, but also, by the proceedings laid before us by you and your suffragans, that the last prorogation of the convocation held before you, which

you

you made by our command, signified in our writ under our great seal, has been by divers of the clergy of the said convocation in their application to you reflected on, as unpresided, and contrary to the ancient and constant usage of the convocation, which yourself and the bishops of your province were bound in conscience to have seen maintained and preserved to them. We are satisfied, that assertion is untrue in point of fact, and amounts to a plain invasion of our royal supremacy, which is reposed in us by the law and the constitution of the church of England; and that their subsequent declaration being evasive, and contrary to what they had before done, has rather aggravated, than lessen'd the guilt of so dangerous an attempt. As our repeated admonitions do sufficiently shew our tenderness for the clergy, so our firm resolution to preserve the constitution of the church of England, as by law establish'd, and our rightful supremacy (if any thing of the like nature be attempted for the future) will make it necessary for us (how unwilling soever we are to proceed to those measures) to use such means for the punishing offences of this nature, as are warranted by law. All which we require you to communicate to the bishops and clergy of your province in convocation assembled. And so we bid you very heartily farewell. Given

Archiepisc. Cant.
THO. TENISON 14.

Anno Christi
1708.

Reg. Angliae
ANNAE 7.

Convocatio praelatorum et cleri provinciae Cantuar.

BREVE regium dat. April. 26. praelatos et clerum provinciae Cantuar. ad octavum

diem mensis Julii sequentis convocabat.

Archiepisc. Cant.
THO. TENISON 16.

Anno Christi
1710.

Reg. Angliae
ANNAE 9.

Convocatio praelatorum et cleri provinciae Cantuar.

PRAELATI et clerus provinciae Cantuar. per breve regium dat. Septemb. 27. ad vi-

cesimum quintum mensis Novemb. sequentis summonebantur.

The queen's licence to both houses of convocation.

ANN, by the grace of God queen of Great Britain, France, and Ireland, defender of the faith, etc. Whereas in and by one act of parliament made at Westminster in the five and twentieth year of the reign of our late royal predecessor, king Henry the VIIIth reciting, that where the king's humble and obedient subjects, the clergy of this realm of England, had not only acknowledged according to the truth, that the convocation of the same clergy was always, had been, and ought always to be assembled only by the king's writ, but also submitting themselves to the king's majesty, had promised in verbo sacerdotii, that they would never from henceforth presume to attempt, allege, claim, or put in ure, enact, promulge, or execute any new canons, constitutions, or

at our court at St. James's the eighth day of April, M.DCC.VII. in the sixth year of our reign.

By her majesty's command.

SUNDERLAND.

To the most reverend father in God, our right trusty and right entirely beloved counsellor, Thomas, lord archbishop of Canterbury, primate of all England and metropolitan, and president of the convocation of the province of Canterbury.

I doubt not, but, in duty to our most excellent sovereign, in justice to the cause of the royal supremacy, and in tender regard to the welfare of our establish'd church, you will lay before the clergy of your diocese the foregoing account, which I here transmit to you, for that end, in the plainest manner, hoping it may be a means to detect the misrepresentation, and disappoint the designs of evilminded men. I heartily commend your lordship to the divine protection, remaining,

My lord, your affectionate brother,

Lambeth, April 18.
M.DCC.VII.

THO. CANTUAR.

dinances provincial, or other, or by whatsoever other name they should be called, in the convocation, unless the king's most royal assent and licence might to them be had, to make, promulge, and execute the same, and that his majesty did give his most royal assent and authority in that behalf; it was therefore enacted by authority of the said parliament, according to the said submission and petition of the said clergy, amongst other things, that they, ne any of them should from henceforth enact, promulge, or execute such canons, constitutions, and ordinances provincial or synodal, upon pain of every one of the said clergy doing contrary to the said act, and being therefore convicted, to suffer imprisonment, and make fine at the king's will: and further by the said act as it

it is provided, that no canons, constitutions, or ordinances should be made or put in execution within the realm of England by authority of the convocation of the clergy, which should be contrariant and repugnant to the king's prerogative royal, or the customs, laws, and statutes of the said realm of England; any thing in the said act to the contrary thereof notwithstanding: and lastly it is also provided by the said act, that such canons, constitutions, and ordinances provincial or synodal being then already made, which were not contrariant nor repugnant to the laws, statutes, and customs of the said realm of England, nor to the damage or hurt of the king's prerogative royal, should be still used and executed, as they were after the making of the said act, till such time as they should be viewed, searched, or otherwise ordered and determined by the persons mentioned in the said act, or the more part of them, according to the tenor, form, and effect of the said act, as by the said act, among divers other things, more fully and at large it doth and may appear; know ye, that we for divers urgent and weighty causes and considerations, us thereunto especially moving, of our especial grace, certain knowledge, and mere motion, by virtue of our prerogative royal, and supreme authority in causes ecclesiastical, have given and granted, and by these presents do give and grant full, free, and lawful liberty, licence, power, and authority unto the most reverend father in God Thomas, archbishop of Canterbury, primate and metropolitan of all that part of Great Britain called England, and to the rest of the bishops of the province of Canterbury, and to all deans of cathedral churches, archdeacons, chapters, and colleges, and to the whole clergy of every several diocese within the said province, that they the said archbishop of Canterbury, and the rest of the bishops of the said province, or the greater number of them, whereof the said archbishop of Canterbury, or in his absence, the reverend father in God Henry, bishop of London, or in both their absences, the reverend father in God George, bishop of Bath and Wells, to be one, and the rest of the clergy of this present convocation within the said province of Canterbury, or the greater number of them shall and may from time to time, during this present parliament, propose, confer, treat, debate, consider, consult, and agree of and upon such canons, orders, ordinances, and constitutions, as they the said archbishop of Canterbury, and the rest of the bishops of the same province, or the greater number of them, whereof the said archbishop of Canterbury, or in his absence, the said bishop of London, or in both their absences, the said bishop of Bath and Wells to be one, and the rest of the clergy of this present convocation within the said province of Canterbury, or the greater number of them shall think necessary, fit, and convenient for the honour and service of almighty God, the good and quiet of the church, and the government thereof, as by law established, to be from time to time observed, performed, fulfilled, and kept

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as well by the archbishops of Canterbury, the bishops and their successors, and the rest of the whole clergy of the said province of Canterbury in their several callings, offices, functions, ministries, decrees, and administrations, and also by all and every judges of the said archbishop's courts, guardians of spiritualities, chancellors, deans and chapters, archdeacons, commissaries, and their inferior ministers whatsoever of the same province of Canterbury in their and every of their distinct courts, and in the order, manner, and form of their and every of their proceedings, and by all other persons within the said part of Great Britain called England, as far as lawfully being members of the said churches may concern and oblige them; and further to confer, treat, debate, consider, consult, and agree of and upon such other points, matters, causes, or things, as we from time to time shall deliver, or cause to be delivered to the said archbishop of Canterbury in writing under our sign manual or privy signet, to be debated, considered, consulted, and agreed upon. And we do also by these presents give and grant to the said archbishop of Canterbury, and to all deans of cathedral churches, archdeacons, chapters, and colleges, and the whole clergy of every several diocese within the said province full, free, and lawful liberty, licence, power, and authority, that they the said archbishop of Canterbury, and the rest of the said bishops of the same province, or the greater number of them, whereof the said archbishop of Canterbury, or in his absence, the said bishop of London, or in both their absences, the said bishop of Bath and Wells to be one, and the rest of the clergy of this present convocation within the said province of Canterbury, or the greater number of them all and every the said canons, orders, ordinances, constitutions, matters, causes, and things so by them from time to time proposed, conferred, treated, debated, considered, consulted, and agreed upon, shall and may set down in writing in such form, as heretofore has been accustomed, and the same so set down in writing to exhibit and deliver, or cause to be exhibited and delivered unto us, to the end that we, upon mature deliberation by us to be taken thereupon, may allow, approve, confirm, and ratify, or otherwise disallow, annihilate, and make void such and so many of the said canons, orders, ordinances, constitutions, matters, causes, and things, as shall be by force of these presents considered, consulted, and agreed upon, as we shall think fit, requisite, and convenient. Provided always that the said canons, orders, ordinances, constitutions, matters, or things, or any of them, so to be considered, consulted, or agreed upon, as aforesaid, be not contrary or repugnant to, nor tend to make any alterations in the doctrine, discipline, or government of the church of England, as established by any act or acts of parliament made in England, and now being in force. Provided also, and our express will, pleasure, and commandment is, that the said canons, orders, ordinances, constitutions

matters,

matters, and things, or any of them, so to be by force of these presents considered, consulted, or agreed upon, shall not be of any force, effect, or validity in the law, but only such, and so many of them, and after such time, as we by our letters patents under our great seal of Great Britain shall allow, approve, and confirm the same; any thing before in these presents contained to the contrary thereof in any

wife notwithstanding. In witness whereof we have caused these our letters to be made patents. Witness ourself at Westminster the 23^d day of January, in the ninth year of our reign.

Per ipsam reginam.

WRIGHT E.

Archiepisc. Cant.
THO. TENISON 17.

Anno Christi
1710.

Reg. Angliae
ANNAE 9.

The queen's licence and heads of business to the convocation.

ANNE R.

MOST reverend father in God, our right trusty and right entirely beloved counsellor, we greet you well. Whereas by our royal licence to the present convocation of the province of Canterbury we have, among other things, empowered and authorized them to confer, treat, debate, consider, consult, and agree of and upon such points, matters, causes, and things, as we from time to time should deliver, or cause to be delivered to you in writing under our sign manual or privy signet, to be debated, considered, consulted, and agreed upon; we do accordingly hereby transmit unto you the heads of such matters, as we think proper for the consideration of the said convocation, which are as follow:

The drawing up a representation of the present state of religion among us, with regard to the late excessive growth of infidelity, heresy, and profaneness.

The regulating the proceedings in excommunications, and reforming the abuses of commutation money.

The preparing a form for the visitation of

prisoners, and particularly condemned persons. For admitting converts from the church of Rome, and such as shall renounce their errors. For restoring those, who have relapsed.

The establishing rural deans, where they are not, and rendering them more useful, where they are.

The making provision for preserving and transmitting more exact terriers, and account of glebes, tithes, and other possessions and profits belonging to benefices.

The regulating licences for matrimony according to the canon, in order to the more effectual preventing of clandestine marriages.

All which points, matters, and things we do hereby direct to be debated, considered, consulted, and agreed upon by the said convocation, pursuant to our licence aforesaid. And so we bid you heartily farewell. Given at our court at St. James's the 29th day of January, M.DCC.X. in the ninth year of our reign.

By her majesty's command.

DARTMOUTH E.

Report from the committee of the lower house about public charities. [March 2.]

TIS the opinion of this committee, that an humble application be made to his grace and the lords the bishops, desiring his grace and their lordships, that they would be pleased in such manner, as they shall judge most effectual, to recommend to the archdeacons, and others having jurisdiction in their respective dioceses, to use the best of their skill and authority with the ministers and churchwardens of the respective parishes, that all charities, given or to be given in perpetuity, be fairly entered in the register books of each parish, to which such charities belong; and also that copies of the said

entries be transmitted to the bishops of each diocese respectively, to be inserted in their lordships registers; and also that a table of such charities be hung up in the several churches, to the end that a grateful remembrance of the several benefactors may be continued to posterity, and others may be incited to follow their good examples.

'Tis the opinion of this committee, that the charitable design of divers pious persons of providing libraries proper for the use of the poorer clergy, doth well deserve the encouragement and assistance of this synod.

The report of the committee of both houses about excommunications, and commutations of penance. [March 7.]

THE committee of the lords the bishops, and some members of the lower house of convocation, to whom it was referred to consider of the second head of matter, proposed by her

majesty under her sign manual to the consideration of the president, and two houses of convocation, namely the regulating the proceedings in excommunication, and reforming the abuses

abuses in commutation of penance, did accordingly meet in the Jerusalem chamber, and came to these following resolutions:

I. It is the opinion of this committee, that the best and most effectual methods for regulating the proceedings in excommunication will be the obtaining an act of parliament for a writ "De contumaci capiendo" in cases, which do not directly concern the christian faith, or reformation of manners, instead of the writ "De excommunicato capiendo;" and they are further of opinion, that this matter should be laid before her majesty.

II. It is the opinion of this committee, that some method ought to be taken to oblige every ecclesiastical judge not to pronounce or decree the sentence of excommunication against any party, till certain days after admonition given to the party offending, and notes in writing sent and delivered to the minister or curate of the parish, wherein the party offending does then inhabit or reside; that so the said minister or curate may advise and exhort the said party to submit to the courts, and so to avoid the highest censure of the church, being made sensible of the spiritual and temporal consequences of it.

III. It is the opinion of this committee, that no commutation of penance be hereafter accepted or allowed by any ecclesiastical judge, without an express consent given in writing by the

bishop of the diocese, or other ordinary having exempt jurisdiction, or in case of the absence or too great distance of the bishop, or other such ordinary, then by some one or more ecclesiastical person or persons, delegated or duly approved to that purpose; and that no sum of money given or received for any commutation of penance, shall be disposed of to any use, without the like consent of the bishop, or other such ordinary; and that a register be kept in every ecclesiastical court of all such commutations, and of the particular uses, to which the said money has been applied; and that the said account be audited every year by the bishop, or other ordinary.

An additional clause to the first article.

Instead of meddling with the statute "De excommunicato capiendo," or making any change in that particular, it is proposed, that a short bill be drawn to extend the act 27 Hen. VIII. c. xx. which relates to the subtraction of tithes, only to such other cases, as shall be thought needful; and that ecclesiastical judges be therefore empowered to certify persons in those cases contumacious either to one privy counsellor, or to two justices of the peace, as by that act is required, in order to their imprisonment, till they shall find a sufficient surety to be bound for them, that they will give due obedience to the process, proceedings, decrees, and sentences of the ecclesiastical court.

Archiepisc. Cant.
THO. TENISON 17.

Anno Christi
1711.

Reg. Angliae
ANNAE 10.

A report of the committee of both houses about terriers, and account of glebes, tithes, and other profits belonging to benefices.

THE upper house having considered the report made from the committee appointed to consider that part of her majesty's letter, which relates to the making provision for preserving and transmitting more exact terriers, and accounts of glebes, tithes, and other possessions and profits belonging to benefices, after mature consideration had of that matter, came to the following resolutions:

I. That a calendar be made by every register or his deputy of the dates of all terriers remaining in the several offices or registries within this province, belonging to any parochial church or chapel, and delivered to the bishop of the diocese attested by the said registers or their deputies respectively, within one year after the ratification of the constitutions.

The lower house have maturely considered the paper relating to terriers sent down by your lordships marked num. iii. and have agreed unto it with the following amendments: [April 18. M.DCC.XI.]

I. The first article or paragraph they agree to without any amendment.

II. That where a full and exact terrier, or

account of any parochial church or chapel, and the rights thereof, and of the minister thereof, and of the parish clerk hath not been delivered to the bishop within seven years last past, the minister and churchwardens of every parish, as well exempt as not exempt, shall make a true and perfect inventory, terrier, and account of the same within one year next after the ratification of these constitutions, according to such directions, as shall be given by the bishop of the diocese for that purpose. And the churchwardens shall deliver the same into court, together with an indented copy thereof, both the one and the other attested under their own hands, together with the hand of the minister, at the next visitation, that shall be held for the archdeaconry after the expiration of the said year; and the register for the archdeaconry shall return the same to the bishop of the diocese within one month next after the said visitation (if he shall then be within the diocese, or otherwise within one month after his first coming into it) upon pain of canonical censures and punishments to be inflicted upon every churchwarden and register, who (after canonical admonition) shall neglect or refuse to conform themselves to this constitution.

II. The

II. The second article they desire may be thus amended.

That where a full and exact terrier belonging to any parochial church or chapel, hath not been deposited in the bishop's office within seven years last past, the minister and churchwardens of every such church or chapel, as well exempt as not exempt, shall make a full and exact terrier within one year next after the ratification of these constitutions, according to such direction, as the proper ordinary shall give for that purpose; and the churchwardens shall deliver the same into court, together with an indented copy thereof, both the one and the other attested under their hands, together with the hand of the minister, at the next visitation, that shall be held after the expiration of the said year by the bishop, or other ordinary having exempt jurisdiction; and the proper register having compared and attested the said copies, shall within two months after the said visitation deliver back one copy to the said churchwardens, to be by them deposited in the public chest, where the writings of the parish or chapel are by law to be deposited, and shall deposit the other in the register of the ordinary, at whose visitation the said terrier was exhibited: which ordinary (if exempt) shall return an attested copy of the same into the registry of the bishop of the diocese, upon pain of canonical censures and punishments to be inflicted on every such minister, churchwarden, and register, who after canonical admonition shall refuse or neglect to conform themselves to this constitution. And that at the same time, that the aforesaid terrier is exhibited by the churchwardens, the minister shall exhibit an account of all other rights and incumbrances, profits and emoluments belonging to his church and benefice, together with an indented copy thereof signed by himself, the churchwardens, and some of the most ancient and knowing inhabitants; both which copies shall be attested by the register, and one of them returned to the minister, and deposited in the public chest of the church or chapel, the other shall be lodged in the several registries in the same manner, as the aforesaid terriers.

III. That the terriers of every diocese, when complete, shall be fairly copied in a book or books by the direction of the bishop; which book or books shall be collated with the originals, and attested by the subscriptions of those, who collated them (one whereof at least shall be a public notary) at the foot of every single copy; the said book or books constantly to remain in the custody of the bishop, to whose diocese they do belong.

III. To the third article they agree with this amendment lin. I. That when the terriers, and accounts of all the churches and chapels in each diocese are complete, and lodged in the bishop's registry, they shall be fairly —

IV. That the register of every diocese shall within one year next after the return of the terriers to the bishop, as before appointed, diligently collate and attest the same; and having

so done, shall carefully lay up one copy of every such terrier in the bishop's registry and transmit the other to the several archdeacons, or their registers, from whom they received them, to be delivered by them to the ministers respectively concerned, at the next visitation to be held for the archdeaconry; which said copies so attested by the register, shall by the ministers and churchwardens of every parish be deposited in the public chest, where the writings of the parish are by law to be deposited. And if either the registers, or minister and churchwardens shall neglect or refuse to conform themselves thereunto, they or any of them so offending, shall be suspended, or otherwise censured, till they shall pay a due conformity to this constitution.

IV. The fourth article they desire may be omitted, the matter thereof being provided for in the 2^d and 3^d articles, as they are here amended.

V. That no terrier so to be laid up in the bishop's registry, as is before required, shall be permitted upon any occasion or pretence whatsoever to be carried out thence, without the knowledge and consent of the bishop himself testified in writing under his hand; and that all the said terriers shall by the register or his deputy be sorted or disposed in such method and order, with a table of references to them, as to the bishop shall from time to time appear most convenient for the better ordering and securing of the same.

V. In the fifth article, lin. 1. after the word "terrier" they desire may be added "or account." Lin. 3. after the word "hand" they desire may be added, "That security shall be given for the return thereof within a time limited, and that an entry shall be made in the register book of the said consent and security given." Lin. 4. after the word "Terrier" they desire may be added "And accounts."

VI. That every archdeacon shall in person or by his substitute visit his archdeaconry parochially after the rate of one deanry at the least every year, in such manner notwithstanding, that the visitation of the whole archdeaconry shall be completed within the space of six years at the farthest (which said visitation shall commence from the Easter next after the ratifications of these constitutions) and in such visitation shall diligently inspect the several terriers, and take account in writing of whatsoever he shall observe to have been defective in them, and shall likewise compare so much as he may of the churches and their furniture, the churchwardens edifices, and other particulars expressed in the terriers, and set down in writing, whatsoever he shall find differing from the terriers given in, and transmit an account of the same within three months to the bishop, to the end that due enquiry may be made concerning it, and where any neglect, fault, or omission has been, it may be speedily amended.

VI. The sixth article they desire may be omitted.

VII. And

VII. And whereas by one act of parliament made in the twenty second year of the reign of king Charles II. intituled, "An act for the better settlement of the maintenance of the parson, etc. in the parishes of the city of London burnt by the late dreadful fire there," it is required, that several transcripts should be taken of the assessments appointed by that act to be made, and disposed of in such manner, as by the said act (recourse being thereunto had) will more fully appear; that the minister and churchwardens of every such parish shall cause due enquiry and search to be made, whether those transcripts were then taken and disposed of in such manner, as by that statute was required, and make certificate thereof to the bishop of London, or other proper ordinary within six months after the ratification of these constitutions; or in case they were not, that then they will cause such transcripts to be forthwith taken, and laid up in the places mentioned in the said act, and within other six months certify the said bishop, or other ordinary, that they have done it, on pain of such penalties, as may by law be inflicted upon them for their neglect.

VII. In the seventh article, lin. 9. after the word "and" they desire these words may be inserted, "if they shall find they were, shall"—Lin. 13. after the first "ordinary" they desire these words may be added, "having peculiar and exempt jurisdiction." Lin. 14. instead of these words "on pain" they desire the word "under" may be put.

VIII. That a calendar be made by every register or his deputy, in whose office any endowments of churches or chapels are lodged, of the several endowments of churches and chapels within each diocese respectively, and delivered to the bishop, to be by him transmitted to the several archdeacons or their officials so far, as the churches or chapels within their respective jurisdictions are concerned; the same to be registred in the jurisdiction, to the end the clergy may have opportunity of knowing, where the endowments of their respective churches are lodged, upon any emergent occasion they may have to consult them.

VIII. In the eighth article, lin. 2. instead of these words, "any endowments of churches or chapels—within each diocese respectively, and"—they desire these words may be put, "any entries relating to the endowments, or o-

ther revenues of churches or chapels are lodged of the said entries and shall be"—

IX. That every dean and prebendary of any cathedral or collegiate church within this province, every archdeacon and other dignitary, who has any estate annexed to his dignity, shall within three years after the ratification of these constitutions cause an exact survey to be taken of all the lands, houses, and hereditaments belonging to the same, and, together with a copy of the lease or leases now in being, transmit the said survey to the dean and chapter, to which the dignity belongs, to be entered by them into a register to be provided only for that purpose; and that upon every renewal of any such estate to be made hereafter, a new survey and copy of the lease then made shall from time to time be transmitted in like manner to every such dean and chapter: the like to be done by every dean and chapter themselves as to such estates, as belong to them in common; and by all petit canons, vicars choral, and others, who have any estates belonging to the places, which they hold in any such cathedral or collegiate church within this province; for registring which survey and lease no chapter clerk shall demand or receive more than ten shillings a piece.

IX. In the ninth article, lin. 4. after the word "constitutions" add "or as soon after, as he conveniently can." Lin. 6. after the word "chapter" they desire these words, "by every dean and chapter themselves as to such estates, as belong to them in common," may be added.

X. That the archbishops and bishops do, as soon as conveniently they may, after the ratification of these constitutions require of their proper officers, whether such entries have been made of the augmentations given to any vicarages or curacies within their respective dioceses, as by the statute of the twenty ninth of king Charles II. cap. VIII. is required. And if upon enquiry it shall appear, that there have not, that they do give effectual order for such books to be provided, and such entries to be made, as by that statute is required in this behalf.

The house does further propose to your lordships, that in the intended canons about terriers care may be taken to revive and enforce the use of annual perambulations in all the parishes of this province.

Archiepisc. Cant.
THO. TENISON 17.

Anno Christi
1711.

Reg. Angliae
ANNAE 10.

Proceedings in convocation about rural deans.

Report of the committee of both houses about rural deans.

THE upper house having considered the report made from the committee of both houses appointed to consider of establishing rural deans, where they are not, and making them more useful, where they are, is come to

the following resolutions:

I. It is the opinion of this house, that the number and extent of rural deanries may best continue according to the ancient division established by law and custom.

II. That a canon or constitution shall be drawn up declaring the office and powers of a rural dean; as particularly to enquire into the

8 A

manner

manners of the clergy and people, to visit and examine the state of parochial churches and chapels, with the chancels of the same, together with the ornaments and utensils thereunto belonging, as also the maners of rectors and vicars, and all ecclesiastical endowments; to enquire into the condition of schools, hospitals, parochial libraries, and the several gifts and legacies bequeathed to pious and charitable uses; and after such due enquiries, to represent yearly to the bishop, or to the archdeacon, or other ordinary any notorious crimes, scandals, errors, or defects in ecclesiastical matters or persons within the district of the said deanry, to be by them transmitted to the bishop, that so, if upon private admonition there does not follow a due reformation, then legal process may issue thereupon.

III. That in every diocese the persons to be appointed to the office of rural deans, shall be beneficed within the deanry, as rectors, vicars, or perpetual curates, and shall be resident upon their respective benefices or cures; men of the elder and graver sort of the clergy, and graduates in one of the two universities within this province.

IV. That the clergy of every deanry, or the greater part of them shall chuse a person thus qualified, who shall be presented by the archdeacon or other ordinary to the bishop for his approbation; and when approved, shall be appointed by the bishop under his hand to execute the said office for the term of three years, unless cause should appear to the bishop for altering the said term.

V. That a paper of instructions from the bishop shall be given to every rural dean so appointed, as above, without fee or reward, directing him how and in what manner to exercise that office; and that every dean so appointed, shall solemnly promise in the presence of the bishop, or any other person appointed by him, to execute the said office according to such instructions to the best of his skill and power.

VI. That it would be proper to consider, whether any privileges, or profits can be restored or conveyed to rural deans, to encourage them in the better execution of their office; as how far it may be practicable, that the rural deans shall be the only surrogates within their own district, to be appointed by the chancellors, or other judges ecclesiastical; and that the mandates of inductions be directed to the rural dean, to be executed by him, or any other neighbouring minister; and that the said rural deans be first nominated in all writs of enquiry "De jure patronatus," in sequestrations, and in all other commissions to be issued from the bishop or ecclesiastical court relating to any persons or matters within their respective districts; and that in all testimonials required by the bishop or other ordinary, relating to the abilities and manners of candidates for holy orders, curates, schoolmasters, or others within their said districts, a more particular regard shall be had to the testimony of rural deans.

VII. Nevertheless in those dioceses of this

province, wherein rural deans have been hitherto constantly kept up with good effect, and in which the custom time out of mind hath been to chuse, appoint, or admit them in other manner, or for a longer or shorter term, than is before mentioned; it is hereby intended, that the ancient custom of such dioceses, as to the manner of the appointment and admission, and the term of their continuance in office, be still observed, unless the respective bishops of such dioceses shall think fit with the consent of the clergy to alter the same.

The lower house having considered the report from the committee of both houses relating to the establishment of rural deans, etc. and the paper sent down to them by your lordships upon that report, do agree to the first and third paragraphs of that paper without any alteration. [April 16. M.DCC.XI.]

The second paragraph they desire may be thus amended:

II. That a canon of constitution should be drawn up, declaring the office and power of a rural dean; as particularly to enquire into the manners of the clergy and people, into the condition of schools, hospitals, parochial libraries, and the several gifts and legacies bequeathed to pious and charitable uses; and when duly commissioned by the bishop, or archdeacon, or other ordinary, to visit and examine the state of parochial churches and chapels with the chancels of the same, together with the ornaments and utensils thereunto belonging, as also the maners of rectors and vicars, and all ecclesiastical endowments; and after such due enquiries, to represent to the bishop, or to the archdeacon, or other ordinary any notorious crimes, scandals, errors, or defects in ecclesiastical matters or persons within the district of the said deanry, that so, if upon private admonition there doth not follow a due reformation, then legal process may issue thereupon.

The fourth paragraph they desire may be thus amended.

IV. That a person so qualified for the office of a rural dean, shall be recommended by the archdeacons, having jurisdiction, to the bishops for their approbation; and where there are no archdeacons having jurisdiction, shall be nominated by the bishops; and when so approved or nominated shall be appointed by the bishops under their hands to execute the said office for the term of three years, unless great cause shall appear to the bishops, and archdeacons having jurisdiction, or to the bishops, where there are no archdeacons with jurisdiction, for displacing them sooner.

The fifth paragraph they desire may be thus amended.

V. That every rural dean so appointed, shall in the presence of the bishop, or some person by him deputed, solemnly promise to execute his office faithfully to the best of his skill and power.

VI. To

VI. To what was proposed in the sixth paragraph, the lower house return answer, that they are of opinion, that the privileges and profits therein mentioned may properly be restored or conveyed to rural deans; but desire that these amendments may be made in that paragraph; videlicet, that the words "shall be only surrogates," be changed into these words "shall be always surrogates."

And that the words, "the mandates of induction be directed to the rural dean to be executed by him, or any other neighbouring minister," be changed into these words, "The archdeacon's mandates of induction, or the mandate of the bishop, where the archdeacon hath no right to induct, be directed to the rural deans, and to any other rector, vicar, or perpetual curate within his deanry."

Instead of the seventh paragraph they desire these clauses may be added:

Saving in all these cases to all dioceses and archdeacons the several rights, to which either by prescription or express composition they may be intitled.

Nevertheless in those dioceses, where the directions given by the canon, now to be drawn in relation to the appointment of rural deans, shall not be observed, the rural deans shall not be intitled to the privileges and profits intended to be conveyed to rural deans by that canon.

Provided, that where it shall happen by reason of the smallness of any rural deanry, that no person qualified, as the third article requires, can be found to execute the mandate of induction, in such case it may be executed by any of the clergy of the adjacent deanry.

The upper house of convocation having considered the amendments made by the lower house to the paper sent down to them concerning the establishment of rural deans, have agreed to them with the following amendments: [April 25. M.DCC.XI.]

Paragraph the 4th leave out the word "great" after "unless."

In the same paragraph after "to the bishops" leave out "and archdeacons, etc." to "for displacing them sooner."

And leaving out the paragraph beginning with these words, "Nevertheless in these dioceses."

The lower house have considered the amendments sent down by your lordships relating to the paper about rural deans, and cannot agree to the two first of those amendments. The reasons of their disagreement are contained in the following paper. [May 5. M.DCC.XI.]

May it please your lordships.

The 4th paragraph of the paper relating to rural deans, as sent up by the lower house to your lordships, contained the following clause: "unless great cause shall appear to the bishops and archdeacons having jurisdiction, or to the

bishop, where there is no archdeacon with jurisdiction, for displacing them sooner."

This clause your lordships propose should be thus amended: "unless cause shall appear to the bishops for displacing them sooner."

To this amendment the lower house disagrees for the following reasons:

I. Rural deans by the nature and duty of their office are ministerial both to the bishop and archdeacon, and your lordships have been pleased to agree, that they shall be appointed by both jointly; and the clergy do humbly conceive, that the same reason will equally hold for the displacing of them by both jointly.

II. What is conceived to be thus reasonable in itself, is expressly enjoined and determined in the body of the canon law under the title "De officio archidiaconi;" which chapter is a decretal epistle of Innocent the third, and contains as follows: "Subsequenter," etc.

III. That no doubt may remain whether the foregoing decretal epistle, and particularly this clause of it was received in England, the same rule of placing and displacing rural deans by the bishop and archdeacon jointly is laid down by Athon and Lynwode in their several commentaries upon the legatine and provincial constitutions, and in both with express reference to the said decretal epistle. In the legatine constitution of Otho, intituled "De vii. sacramentis," is this clause: "Archidiaconi vero in singulis conventibus suorum decanatum sacerdotes in his maxime studeant erudire," etc. where left the mention of "decanatum suorum" with immediate reference to the archdeacons should be thought to imply, that rural deans are subject to the archdeacons alone; the gloss of Jo. de Athon cautions us not to argue from that expression, "Quod decanatus rurales, et per consequens decani ibi praefecti sunt ipsorum archidiaconorum, sed certe (salva consuetudine locorum) tam praefici debent decani tales, quam etiam amoveri per episcopum et archidiaconum simul de jure;" and then he refers to the decretal epistle above-said.

Also in the provincial constitutions tit. "De judiciis c. 1. in causis," where the words of the constitutions are: "Statuimus, ut decani rurales nullam causam matrimonialem de caetero audire praesumant:" the gloss of Lynwode upon the words "Decani rurales" is this: "De his legitur de offic. archid. Adhaec in fi. ubi dicit Innocentius, quod sunt personae habentes quaedam officia, communiter spectantia ad episcopum et archidiaconum; et ideo communiter eorum receptio et amotio pertinet ad utrumque, ut ibi dicitur in textu."

For these reasons it is humbly hoped, that your lordships would be pleased to agree with the lower house in continuing your archdeacons the share, which the present constitution of our church gives them as in the appointing, so also in the displacing of rural deans.

To

To the third amendment proposed by your lordships they have agreed with the addition of a request to your lordships, which has passed the house in the words following:

The lower house do not insist upon the clause, which begins with the words "Nevertheless in those dioceses," but agree with your lordships in the omission of it. They offered that proviso to your lordships out of a desire to procure an universal conformity to the constitutions now to be made; but since that is not approved, they submit to your lordships wisdom to think of such an expedient, as may be most likely to procure the conformity desired, and to make the rural deans, according to the directions given in her majesty's letter, still more useful, where they are.

The upper house of convocation have considered the reasons offered by the lower house for their disagreeing to the amendments made by the upper house in the 4th paragraph of the paper relating to rural deans, and think them not sufficient to induce this house to recede from the said amendments for the following reasons: [May 16. M.DCC.XI.]

I. In the first reason of the lower house for disagreeing to the said amendments it is alleged, that the bishops have agreed, that the said rural deans shall be appointed jointly by the bishop and archdeacon, and from thence infer, that they ought to be displaced jointly by both; whereas in this very paragraph it appears, that the rural deans are only to be recommended by the archdeacons, having jurisdiction, and appointed solely by the bishops under their hands; so that the foundation of this reason being laid upon a mistake in fact, the reason grounded upon it cannot but fail.

II. It appears from the second paragraph, as amended by the lower house, that the rural deans, when appointed, cannot perform the archdeacon's part in visiting churches, etc. without a particular commission from him, and consequently, that they are not immediately by their appointment to that office ministerial both to the bishop and the archdeacon, nor therefore intitled upon that account to hold the same, until they shall be displaced jointly by both. And therefore

III. The decretal epistle of Innocent III. which proceeds upon a general supposition, that the rural deans have equal relation to the bishops and archdeacons, and thereupon provides, that they should be as well placed as displaced by both, is not applicable to the present case, wherein the constitutions proposed have made another provision.

IV. That decretal epistle is of the least weight, for being written at a time, when the popes made it their business to lessen the authority of the bishops for the increase of their own, and for being the single ground of those glosses, which afterwards followed agreeable to it.

V. That of what weight soever it might be, while any rural deans subsisted here upon that foot, which that decretal epistle supposes, it cannot in the least oblige us to govern ourselves by it in a new establishment of rural deans, where they are not; especially if it be considered,

VI. That when that part of the canon law obtained, there was a saving to the different customs of several places, as appears by the gloss referred to by the lower house in their third reason. And therefore if this epistle did not in its fullest authority overrule those customs, there is much less reason, that, after it has been long out of use, it should determine the convocation in their measures of establishing de novo rural deans, where they are not.

VII. The archbishop and bishops in convocation assembled M.D.LXXI. did not think themselves bound by it, when in the chapter "Archidiaconi" they express themselves thus: "Peracta visitatione, archidiaconus significavit episcopo, quos invenerit in quoquo decanatu et doctrina et judicio praeditos, ut digni sint, qui pro concione doceant populum, et praesint aliis. Ex illis episcopus potest electum facere, quos velit esse decanos rurales."

VIII. Nor did it hinder the council of Trent itself, as little favourable as it was to the order of bishops, from going farther than this, when they were pursuing the matter of reformation, and decreeing Sess. xxiv. cap. 3. in these words, "Archidiaconi autem, decani, et alii inferiores in iis ecclesiis, ubi hactenus visitationem exercere legitime consueverunt, debeant quidem, assumpto notario, de consensu episcopi deinceps per seipsos tandem ibidem visitare."

IX. The lower house do not seem to think themselves bound by that papal decree, to which they refer, when they suppose in their request subjoined to their reasons, to break in upon those customs, which obtain in those places, where rural deans are found, in order to make them, according to the direction given in her majesty's letter, still more useful, where they are.

For if they think, and it may be very rightly, that those customs, which were saved by the gloss upon that canon, to which they refer, may be altered by a new constitution for the improvement of the state of the church; they cannot reasonably pretend, that the bishops are not at liberty to propose a new constitution for the establishing rural deans, where they are not, different from that papal decree, which has been so long out of use, if they think such new constitution more for the service of the church.

They do think the constitution proposed, as amended by them, best fitted to maintain and promote the good order of the church, and therefore insist upon their former amendments, and hope the lower house will observe the regard they shew to the archdeacons in agreeing to the other amendments made by the lower house in relation to them.

VI. And

And as to the request of the lower house, that we would think of some expedient, as may be most likely to procure a conformity in this matter throughout the province; we are ready to enter into the consideration of it, and to receive any proposals from the lower house about it, that we may not only establish rural deans, where they are not, but also make them more useful, where they are.

The lower house have considered the reasons, which your lordships sent down for your adhering to the amendment made in the fourth paragraph of the paper relating to rural deans, and they do humbly beg leave to represent to your lordships. [June 5.]

I. That where the lower house in their former paper speak of the joint appointment of rural deans by the bishop and archdeacon, their meaning is not, that they shall be admitted to the said office by the bishop and archdeacon jointly, but only that the bishop may not admit any person, but who shall be recommended to him by the archdeacon. In like manner, where they speak of rural deans being displaced by both, their intention is not, that the archdeacon shall be joined with the bishop in the act of displacing, but only, that the said bishop may not proceed to execute such act without the consent of the archdeacon; the authoritative act being in both cases equally reserved to the bishop.

II. That as rural deans by their office have been ministerial both to the bishop and archdeacon, so they will still continue ministerial by the present canon; and although they cannot proceed in one part of their duty assigned to them (videlicet the visiting of churches) without commission from the bishop or archdeacon; yet they will be obliged by their office to execute such commission, when directed to them; and it is humbly conceived, that no person, who is bound to execute the commission of another, becomes less ministerial to that order by a restraint from acting, till he hath received such commission.

III. That the rural deans still remaining ministerial to the archdeacon, as well as to the bishop, it is humbly hoped, that the inference, which the lower house drew from thence (videlicet that therefore the archdeacon ought in reason to be concerned together with the bishop in placing and displacing of them) will still be thought just and equitable.

IV. That whereas your lordships are of opinion, that the decretal epistle of Innocent the third is of less weight for being written in a time,

when the popes made it their business to lessen the authority of the bishops for the encrease of their own; we beg leave to observe, that that declaration of the authority of the archdeacon over rural deans cannot (as we conceive) be reckoned among the methods invented and practised at that time for lessening the authority of bishops, in as much as that epistle doth not make rural deans ministerial to the archdeacon, but supposes them to be so by the nature of their office; nor is that decision grounded upon an arbitrary declaration of the pope, but upon an established maxim of law, which holds generally in cases of the like nature: "Cum ab omnibus, quod omnes tangit, approbati debeat; et cum commune eorum decanus officium exerceat, communiter est eligendus, vel etiam amovendus."

V. That the said epistle, and the glosses of Lynwode and Athon founded upon it, were not alleged by the lower house in bar to the right and authority of convocation to alter the law in this particular, but only to shew, that the power they desire in behalf of archdeacons, is agreeable both to law and reason of former times; and they do still humbly hope, that in as much as the reason of the law continues, your lordships will be pleased to agree, that the law itself (as in placing, so in displacing rural deans) may be enforced by the constitution intended to be drawn upon this head.

VI. That the directions given by the archbishop and bishops in M.D.LXXI. for the choice of rural deans (the authority of which directions we do not now dispute) do not expressly affect the right of the archdeacons in the point now under consideration; forasmuch as they prescribe only the method of appointing rural deans, but say nothing of displacing them. And however it appears not, that the clergy at that time had any opportunity of laying before their lordships the grounds and reasons of their claims in these particulars.

VII. That if your lordships shall not be pleased, that the share of archdeacons in displacing of rural deans be declared and confirmed in the present constitution, the lower house are content that these words [Par. 4. "unless great cause shall appear to the bishops and archdeacons, having jurisdiction, for displacing them sooner"] be wholly omitted; lest all the other heads of the said paper being adjusted, a disagreement between the two houses upon this one article should for the present disappoint her majesty's expectation, and deprive the church of the benefits, that may arise from a regular establishment of rural deans.

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Archiepisc. Cant.
THO. TENISON 17.

Anno Christi
1710.

Reg. Angliae
ANNAE IO.

Proceedings in convocation about Mr. William Whiston's book, entituled, "An historical preface to primitive christianity revived."

Schedule of the lower house about the same.
[March 16. M.DCC.X.]

To the most reverend the lord archbishop of Canterbury, and the lords the bishops, his suffragans.

THE clergy of the lower house in synod assembled represent to your lordships, that a book hath, during this session of convocation, been published and dispersed through several parts of this province, entituled, "An historical preface to primitive christianity revived;" with an appendix, containing an account of the author's prosecution and banishment from the university of Cambridge, by William Whiston, A. M. and dedicated to the most reverend Thomas, lord archbishop of Canterbury, president, and to the right reverend the bishops of the same province, his grace's suffragans, and to the reverend the clergy of the lower house in convocation assembled.

This historical preface is humbly dedicated, and the papers therein referred to, with all due submission offered to their and the public serious consideration by the author.

This book contains assertions in our opinion so directly opposite to the fundamental articles of the christian religion, that out of our duty to God, our zeal for preserving the purity of the catholic faith, and our concern to prevent the scandal, that may arise from our silence, we think ourselves obliged to lay it before your lordships, praying your opinion, after what manner it may be proper for this synod stoproceed in relation to that book.

First letter of the archbishop of Canterbury to the bishops in the case of Mr. Whiston.

To the right reverend my brethren the bishops of the province of Canterbury in convocation assembled.

Right reverend brethren.

Whereas your lordships on the 19th day of March last came to some resolutions concerning a book lately published by Mr. Whiston, and in pursuance thereof did agree at the same time, that they should be laid before me for my opinion thereupon; I have already signified unto you, that I entirely agree with you in your resolution, that notice should be taken of the said book; and after having consulted such books and persons, as I thought proper on this occasion, I do now subjoin and offer my opinion concerning the further methods of proceeding therein as follows:

To proceed regularly in the censure of Mr. Whiston, two points are to be considered:

- I. The censure of the book and doctrine.
- II. The censure of the person.

I. In order to a censure upon the book or doctrine, two things seem necessary to be done; first to have the book well examined, and to fix upon the particular passages, wherein he has asserted his pernicious tenets most plainly and expressly; II. To fix the particular places of scripture, and in the council of Nice; and the articles of our own church, upon which the charge of heresy may be most clearly grounded.

II. In order to a censure of a person in a judicial way, there are three several methods, which you will weigh and consider well, in order to judge how far each of them will be safe and expedient, and how far effectual.

I. The first method is by the court of convocation, in which such a judicature hath been evidently exercised in many instances both before and since the reformation, and which seems to be the most desirable method in the present case, if the following difficulties do not stand in the way. First such a court being final or the last resort, from which no appeal is provided by the statute 25 Hen. VIII. c. xix. it may seem to be doubtful, how far a prosecution without appeal to the crown will be consistent with 1 Eliz. cap. I. § 17. whereby all jurisdiction, and particularly for reformation of errors, heresy, and schism, is united and annexed to the imperial crown of this realm; and also how far it will be consistent with the statute of appeals 25 Hen. VIII. c. xix. which in the course of the appeals directed to be thenceforth made, doth not mention convocation.

Secondly, It seems to be another difficulty, that there does not appear to have been any exercise of such a judicature for this last hundred years or thereabouts, in which time matters of such nature were usually considered and adjudged in the high commission court, while that remained; and when that court was suppressed, it was enacted 17 Car. II. cap. ii. that no court should be thenceforth erected with like power, jurisdiction, or authority, but that all commissions erecting any such court shall be void.

You will therefore think it fit to be duly considered, how far the revival of this judicial authority in a convocation, empowered to proceed and act by her majesty's commission or licence, may be construed an erecting of a court with like power, etc. as the high commission had.

Thirdly,

Thirdly, Since the disuse of such judicial proceedings, the writ "De haeretico comburendo" hath been taken away by the statute of 29 Car. II. c. ix. and you will also consider, whether the provision there made for the jurisdiction of protestant archbishops or bishops, or any other judge of ecclesiastical courts in cases of atheism, blasphemy, heresy, and schism, extends to convocation, or only to the ordinary and established courts of every archbishop and bishop.

Fourthly, In the year M.DC.LXXXIX. several heretical books having been complained of by the lower house, the bishop of London, president, and the then bishops, after mature advice and deliberation thereupon, returned this answer sess. XIII. "Quod conscii sunt, diversas esse clausulas perniciosas in libris allatis penes eos, pro directione dictae domus relictis; sed informati sunt per jurisperitos utriusque juris, proprias esse curias judiciales pro punitione delictorum hujusmodi, et eorum ferunt opiniones, non esse conveniens impraesentiarum sese his rebus immiscere."

II. The second method of proceeding in the present case, as I humbly conceive, is, for the archbishop to hold a court of audience, and calling to him his provincial bishops, as assessors there, to examine, proceed and give sentence, as in his court of audience; into which court he is fully empowered by a special proviso 23 H. VIII. c. ix. § 3. to cite any person out of his diocese, wherein he dwells, in case that the bishop, or any immediate judge or ordinary dare not, or will not convene the party to be sued before him; and from which court (as within the statute 25 Hen. VIII. c. xix.) a regular appeal lies to the queen's delegates in chancery.

III. The bishop, in whose diocese, he inhabits, may of his own accord cite him into his court; or the cause may be remitted or especially recommended to him, as his proper ordinary, by the archbishop and bishops in convocation, which we find hath oftentimes been done in cases of the like nature.

Of the three forementioned methods the two last seem to be most plain and clear in point of legality. But because the first is the most solemn, provided it may be pursued legally, and with safety to the archbishop, bishops, and clergy of the province, it seems to be necessary to lay the premisses, or what else may be the result of your own debates and deliberation, before her majesty, with an humble request as from the upper house, that her majesty will be graciously pleased to lay the case before her reverend judges for their opinions thereupon. I heartily recommend you to God the ruler and guide of his church, and remain,

Right reverend brethren,

Your most affectionate brother.

April 11. M.DC.CXI.

CANTERBURY.

The second letter of the archbishop of Canterbury to the bishops in the case of Mr. Whiston.

To the right reverend my brethren the bishops of the province of Canterbury in convocation assembled.

Right reverend brethren.

I send you herewith a letter, which I received on the 5th of this instant April from Mr. Whiston, whose case (as you have given me to understand) is just now coming under your consideration. I thought it proper for me to communicate it to you for your perusal, and thereby also to cut off all occasions of his complaining, that I smother any of his overtures. You will best judge, what use is fit to be made of this paper, and at what time. I desire the original may be kept as long, as you think convenient, in the hands of any of my substitutes, that shall be this day in the chair.

I cannot but observe one thing in this letter with some degree of admiration, that 'tis his earnest wish, that the incorrupt faith and practice of the gospel may prevail; and the profession, which he makes, that he aims to promote to the best of his own judgment and ability the purity of Christ's religion, whilst he would obtrude upon the world, as a considerable part of the canon of the New Testament, that very spurious and corrupt book of the constitutions.

I am, right reverend brethren,

Your most affectionate friend and brother,

Lambeth house, April
11. M.DC.CXI.

CANTERBURY.

To the queen's most excellent majesty.

The humble address of the archbishop and bishops of the province of Canterbury in convocation assembled.

May it please your majesty.

Whereas one William Whiston, a presbyter of the church of England, and late professor of mathematicks in the university of Cambridge, who was in October last expelled the said university, for asserting and preaching abroad divers tenets contrary to religion received and established by public authority in this realm, has since that time, and a little before the sitting of this present convocation printed and published an historical preface to other writings of the same pernicious design, intended for the press, in which he has advanced several damnable and blasphemous assertions against the doctrine and worship of the ever blessed Trinity, expressly contradicting the two fundamental articles of the Nicene creed, and defaming the holy Athanasian, and has had the confidence to inscribe and direct the said printed preface to the convocation now assembled; and whereas we take ourselves to be both bound in duty to God, and to his holy truths, and

and in obedience to your majesty's pious intentions signified to us with your gracious licence, to repress the said blasphemy, and also obliged in vindication of our firm adherence to the true faith, and for the preservation of the same in the members of our communion, to call the said Mr. Whiston before us, in order either to his amendment, or exclusion from the communion of the church of England, but do yet find ourselves hindered from going on by some doubts arising among ourselves concerning our power so to act and proceed; for that the court of convocation being final, or the last resort, from which no appeal is provided by the statute made in the 25th year of Henry VIII. c. xix. it may seem to be doubtful how far a prosecution, without appeal to the crown, will be consistent with the statute made in the first year of queen Elizabeth chap. i. sect. 17. whereby all jurisdiction, and particularly for reformation of errors, heresies, and schisms, is united and annexed to the imperial crown of this realm; and also how far it will be consistent with the statute of appeals made in the 25th year of Henry VIII. chap. xix. which in the course of the appeals directed to be thenceforth made doth not mention convocation; may it therefore please your most gracious majesty, out of your known zeal for the honour of God, and the good of his church, to lay this case before your reverend judges, and others, whom your majesty shall in your wisdom think fit, for their opinion, how far the convocation, as the law now stands, may proceed in the examining, censuring, and condemning such tenets, as are declared to be heresy by the laws of this realm, together with the authors and maintainers of them.

April 22. M.DCC.XI

Her majesty's answer.

To the most reverend father in God, our right trusty and right entirely beloved counsellor, Thomas, lord archbishop of Canterbury, primate of all England and metropolitan, and president of the convocation of the province of Canterbury.

ANNE R.

Most reverend father in God, our right trusty and right entirely beloved counsellor, we greet you well. Upon the consideration of the humble address delivered to us from you, and from the rest of the bishops of your province of Canterbury in convocation assembled, we have consulted our judges, and our attorney and solicitor general, how far the convocation, as the law now stands, may proceed in examining, censuring, and condemning such tenets, as are declared to be heresy by the laws of this our realm, together with the authors and maintainers of them, and we have ordered the opinions given by our judges, and our attorney and solicitor general to be transmitted to you.

We are pleased to find, that according to the opinion of eight of our 12. judges, and of our attorney and solicitor general, as the law now stands, a jurisdiction in matters of heresy and condemnation of heretics is proper to be exercised in convocation; and we cannot doubt, but the convocation will now be satisfied they may employ the power, which belongs to them, in repressing the impious attempts, lately made to subvert the foundation of the christian faith; which was one of the chief ends we proposed to ourselves in assembling them, as appears from the whole tenor of our letter of December 12. and from the first head of business, which in our two subsequent letters of January the 29th and February the 14th we recommended to their consideration. We trust, that these our royal intentions so often signified will not be without effect. And so requiring you forthwith to communicate this our letter, together with the opinions of our judges, and attorney and solicitor general herewith transmitted to you, to both houses of convocation, we bid you heartily farewell. Given at our court at St. James's the 8th day of May, M.DCC.XI. in the tenth year of our reign.

By her majesty's command.

DARTMOUTH.

The opinion of the judges concerning the power of the convocation.

To the queen's most excellent majesty.

May it please your majesty.

In humble obedience to your majesty's commands signified to us by the right honourable the lord keeper of the great seal, in relation to the humble address of the archbishop and bishops of the province of Canterbury in convocation assembled hereunto annexed, we, whose names are hereunto subscribed, have taken into consideration the doubts and questions therein stated.

And after conference with the rest of the judges, we are humbly of opinion, that of common right there lies an appeal from all ecclesiastical courts of England to your majesty, in virtue of your supremacy in ecclesiastical affairs, whether the same be given by express words of any act of parliament, or not; and that no act of parliament has taken the same away; and consequently that a prosecution in convocation, not excluding an appeal to your majesty, is not inconsistent with the statute of 1 Eliz. chap. i. but reserves the supremacy entire.

As to the question proposed in the said address, how far the convocation, as the law now stands, may proceed in examining, censuring, and condemning such tenets, as are declared to be heresy by the laws of this realm, together with the authors and maintainers of them? we understand it only to import these

two

two things; whether a jurisdiction to examine, censure, and condemn such tenets, and the authors and maintainers thereof could ever be exercised in convocation? and if it once could, whether it be taken away by any act of parliament?

And we humbly lay before your majesty, that all our law books, that speak of this subject, mentioning a jurisdiction in matter of heresy, and condemnation of heretics, as proper to be exercised in convocation, both before and since the acts of parliament mentioned in the address, and none of them, that we find, making any doubt thereof; and we observing nothing in those, or any other acts of parliament, that we think has taken it away; we are humbly of opinion that such jurisdiction, as the law now stands, may be exercised in the convocation: but this being a matter, which, upon application for a prohibition on behalf of the persons, who shall be prosecuted, may come in judgment before such of us, as have the honour to serve your majesty in places of judicature, we desire to be understood to give our present thoughts, with a reserve of an entire freedom of altering our opinions, in case any records or proceedings, which we are now strangers to, shall be laid before us, or any new considerations, which have not occurred to us, be suggested by the parties or their council to convince us of our mistakes. All which we most humbly submit to your royal majesty's great wisdom.

T. Parker.

Tho. Trevor.

John Powell.

Littleton Powys.

R. Tracy.

Tho. Bury.

Ro. Price.

R. Eyre.

Ed. Northey.

Rob. Raymond.

May 4. M.DCC.XI.

To the queen's most excellent majesty.

May it please your majesty.

In humble obedience to your majesty's royal command signified to your judges by the right honourable the lord keeper, we, whose names are subscribed, have considered the questions mentioned in the address hereunto annexed, and are humbly of opinion, that since the statute of the 23 Hen. VIII. against citing out of the diocese, and those statutes of the 24th and 25th years of the same reign touching appeals, and as the law now stands, the convocation hath not any jurisdiction originally to cite before them any person for heresy, or any other spiritual offence, which according to the laws of the realm may be cited censured, and punished in the respective ecclesiastical courts or jurisdictions of the archbishops, bishops, and other ordinaries, who, we conceive, have the proper judicature in those cases, and from whom, and whose courts the parties accused may have their appeals, the last resort wherein

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is lodged in the crown. In which statute for citing out of the diocese, and in the others, as far as relates to appeals, for such offences, no notice is taken of the convocation, either as to jurisdiction or appeals. Nor doth it any way appear to us, in whom the pretended judiciary power of a convocation either before or since the said statutes (if any such they ever had) resided; whether in the whole body of the convocation, or in part. But it is plain by the first statute, that the archbishop's jurisdiction, even in case of heresy, is bounded, so that he cannot proceed against such offenders within any other diocese, than his own, without the consent, or in the default of the diocesan bishops: all which statutes being made for the use and benefit of the subjects, they cannot (as we humbly conceive) be deprived of the benefit of them by any pretence of jurisdiction in the convocation, from which we cannot find, or be informed of any instance of appeal. Nor have any judicial precedents or authorities for convening or censuring of such offenders in any convocation, since those statutes, or the reformation (which is near 180. years) appeared unto us; and if such power should be allowed to the convocation, we conceive it would invade the ordinary jurisdiction of the archbishops and bishops, which, we conceive, are preserved by the act of parliament made in the 17th year of the reign of his late majesty king Charles the first, chap. ii. and by another made in the 13th year of king Charles the second, chap. xii. and by the act made 29 Car. II. chap. ix. which took away the writ "De haeretico comburendo;" in none of which any mention is made of the convocation. And by the bill of rights 1 W. and M. it is enacted, that the commission for erecting the late court of commissioners for ecclesiastical causes, and all other commissions and courts of the like nature are illegal and pernicious. But we conceive that heretical tenets and opinions may be examined and condemned in convocation authorized by royal licence, without convening the authors or maintainers of them. All which we most humbly submit to your royal majesty's great wisdom.

Edw. Ward.

Jo. Blencowe.

Rob. Dormer.

S. Lovell.

The judgment of the archbishop and bishops, and the clergy of the province of Canterbury in convocation assembled, concerning divers assertions contained in a book lately published by William Whiston.

Whereas great offence hath been given to the church of God by several writings published by William Whiston, and particularly by a book lately dedicated by him to the convocation of this province, wherein that rash and insolent writer declares with the utmost assurance, that the Arian doctrine concerning the Trinity and Incarnation is the doctrine of our

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blessed

blest Saviour, his apostles, and the first christians, and very uncharitably insinuates, that all, who have considered these matters, want nothing but the honesty or the courage to own themselves of the same opinion; we have thought ourselves obliged in maintenance of our most holy faith, and for the vindication of our own sincerity, for checking, if possible, the presumption of this author, and for preserving others from being seduced by him, to compare the dangerous assertions, he has advanced, with the holy scriptures, and the two first general councils, and the liturgy, and articles of the church of England, in order to give our judgment upon them.

Hist. pref. p. 7. And now it was, and indeed not till now, that I had all my evidence at once before me, and was able to affirm and assuredly pronounce, that the Arian doctrine was in these points (viz. the Trinity and Incarnation, as in p. 6.) most certainly the original doctrine of Christ himself, of his holy apostles, and of the most primitive christians.

Ibid. p. 81, 82. When the scriptures speak of one God, they mean thereby one supreme God the Father only.

The moderns call these three divine persons but one God, and so introduced at least a new, and unscriptural, and inaccurate, if not a false way of speaking into the church.

Errata p. 123. lin. 23, 24. To whom with the Father and the Holy Ghost, read "in the Holy Ghost," and dele "three persons and one God." These I allow to be mine own words, and to be agreeable to my own not uncertain opinion, but certain faith. I was once, as the world will see by the occasion of the latter erratum, in the common opinion, that the Father, Son, and Holy Ghost, the three divine persons, were truly in some sense one God, or the one God of the christian religion; that is, before I particularly examined that matter in the scriptures, and the most primitive writers; but since I have thoroughly enquired into it, I am so fully satisfied, that the Father alone is the only God of the christian religion, that I must now own, that when once I deny or doubt of that doctrine, I must deny or doubt of our common christianity, there being no one article more plain or more universally acknowledged in all the first ages of the church, than that was.

Hist. pref. pag. 65. Pos. III. That the Son is inferior as well as subordinate to the Father.

Pos. VII. That the Son was begotten or created by the Father only before the world, whatsoever secret eternity he had before his generation or creation.

Reply to Dr. Allix p. 30. Prop. VIII. Jesus Christ, the Word and Son of God, is a divine being or person far inferior to his Father in nature, attributes, and perfections.

Hist. pref. p. 65. Pos. v. That the Holy Ghost is inferior, as well as subordinate to both the Father and the Son.

Reply to Dr. Allix p. 33. Prop. XIX. The

Holy Spirit of God is a divine person made under the supreme God by our Saviour, or in a due sense proceeding from the Father and the Son, of different perfections and offices from the Son of God.

Hist. pref. p. 28. Since your lordship is so thoroughly sensible of the antichristianism of popery, I would fain know, how the substantiality and coequality of the Holy Ghost to the Father and the Son, on which soon followed his invocation, which only stands upon one letter of pope Liberius or Damasus, can by your lordship be looked on under any other denomination.

Append. to Hist. pref. p. 5, 6. This language, To the Father, Son, and Holy Ghost, one God, whom we adore, is so entirely contrary to the nature of the christian religion, that I cannot go into it for any consideration whatsoever.

Hist. pref. p. 46. I allow, that the Blessed Spirit is to be worshipped in those forms; viz. baptism, doxology, and blessing; but never by invocation.

Hist. pref. p. 6. I cannot but look on this discovery, viz. that the *λογος* in Christ supplied the place of the *νοημα* or rational soul in man, as one of the most certain and most important of all others.

Reply to Dr. Allix p. 32. Prop. XVI. Jesus Christ, the Word and Son of God, when he was incarnate, was liable to temptations in his divine nature, and thereby suffered for us, as the rational soul is tempted and suffers in other men by its partaking of the temptations and sufferings of the body.

We do declare, that the above mentioned passages, cited out of the books of William Whiston, do contain assertions false and heretical, injurious to our Saviour and the Holy Spirit, repugnant to the holy scriptures, and contrariant to the decrees of the two first general councils, and to the liturgy and articles of our church.

And we do earnestly beseech all christian people by the mercies of Christ to take heed, how they give ear to these false doctrines, as they tender the honour and glory of our Saviour and the Holy Spirit, the preservation of the purity of the gospel, and the peace of the church.

And whereas the said William Whiston, the better to support his heretical opinions, speaking of a book commonly called the "Apostolical constitutions," hath these words Hist. pref. p. 85, 86. I have, I think, certainly found, that the apostolical constitutions, which the antichristian church has so long laid aside, as spurious or heretical, are no other, than the original laws and doctrines of the gospel, the new covenant, or most sacred standard of christianity, equal in their authority to the four gospels themselves, and superior in authority to the epistles of single apostles; some parts of them being our Saviour's original laws delivered to the apostles, and the other parts the public

Proceedings in convocation about Mr. WHISTON'S book. 651

blic acts of the apostles themselves met in council at Jerusalem and Caesarea before their death. And this was the constant opinion and testimony of the earliest ages of the gospel.

We cannot but declare this assertion advanced concerning a book, which was never yet acknowledged as part of the canon of scripture by any general council, nor received as such in any christian church, to be highly absurd and impious, tending to create in the minds of christians great uncertainties as to their rule of faith, and to subvert that faith, which was once delivered to the saints, and is preserved in the sacred books of the New Testament received in our church.

The prolocutor's schedule to the upper house of convocation with a copy of Mr. Whiston's letter. [May 30. M.DCC.XI.]

May it please your lordships.

I am directed by the lower house to lay before your lordships this letter from Mr. Whiston, which was delivered to me on the last day of our session at the door of our house by Mr. Emlyn, the Unitarian preacher.

The lower house think it reasonable, that Mr. Whiston, according to his request, should have a copy of the propositions extracted out of his book, and that he should be permitted to make his explication and apology in relation to them.

To this end they judge it requisite that he should be cited forthwith to appear before the court of convocation, and they do hereby humbly and earnestly propose to your lordships,

that he may by the authority of convocation be cited accordingly.

“Epistolae verus tenor sequitur in haec verba:”

London, May 28. M.DCC.XI.

Mr. Prolocutor.

Understanding, that there are some propositions extracted out of my books, in order to their being censured by the convocation as heretical, I cannot but make this address to you, and thereby to the lower house of convocation, to beg the favour of a true copy of those propositions, and some small time to make my explication and apology in relation to them. This is the known confessed privilege of all men, to be heard, before their doctrines are censured or condemned, especially when the crime is so heinous as that of heresy. I do not remember, where either papists or protestants, Turks or Jews, heathens or christians have wholly refused this common right of mankind; and so I cannot, without the severest reflection upon the honour and justice of the convocation, suppose it will or can be refused me in this case; nor shall I be able to avoid the most open and affecting complaints and appeals to the christian world, if this most equitable request be denied me.

I am, Sir,

Your very humble servant,

WILLIAM WHISTON.

Archiepisc. Cant.
THO. TENISON 17.

Anno Christi
1711.

Reg. Angliae
ANNAE 10.

Constitutions and canons ecclesiastical treated upon by the archbishops and bishops, and the rest of the clergy of Ireland, and agreed upon by the queen's majesty's licence in their synod holden at Dublin anno Domini M.DCC.XI. and in the tenth year of the reign of our sovereign lady Anne, by the grace of God queen of Great Britain, France, and Ireland.

ANNE, by the grace of God of Great Britain, France, and Ireland queen, defender of the faith, etc. to all, to whom these presents shall come, greeting. Whereas certain constitutions and canons ecclesiastical, treated upon by the archbishops and bishops, and the rest of the clergy of our said kingdom of Ireland, and agreed upon by our licence in the year of our Lord M.DCC.XI. and in the tenth year of our reign, have been humbly laid before us for our royal approbation; we having taken the same into our consideration, have thought fit to approve thereof in manner and form as followeth: viz.

I. *For preventing extrajudicial dismissal of criminals, and stifling proceedings against them.*

If any register, proctor of office, or other officer shall at any time stifle and suppress any crime, that the offender may not be brought

to do penance, they shall be suspended from their respective offices by the bishop of the diocese or other ordinary; and if any vicar general, chancellor, commissary, official, or surrogate shall make any clandestine prevention of any public penance by an extrajudicial dismissal of any offender, he or they shall be suspended by the bishop of the diocese or other ordinary, and such dismissal obtained shall be null and void. And for further preventing the stifling or suppressing proceedings against criminals, the register shall keep a book, in which he shall enter all presentments of criminals, according to the time that they come into the office; which book shall be laid before the bishop or judge every court day, that he may be apprized, what causes of office are in the court, and be enabled to enquire, what proceedings have been made in them; and the said book shall be produced at every visitation of

of the diocese, where the presentments have been made. And if the register shall neglect to enter such presentments, or to produce the said book, when required, then he shall be suspended for the space of three months.

II. *Concerning citations, and the manner of serving them.*

Whereas all citations, issued out of the ecclesiastical courts in this kingdom, are in Latin, which gives occasion to several persons served with them to pretend, that they have not been sufficiently informed by the apparitor or other mandatory, that serves them, of the purpose or intent of the said respective citations; and on that account excuse themselves, when by their contempt they have incurred the sentence of excommunication; to prevent therefore all such pretences, whenever any citation or process shall issue out of any ecclesiastical court, the register thereof or his deputy shall at the bottom of such citation or process enter an abstract or docket in English, containing the name and surname of every person to be served with a citation, at whose instance they are cited, and for what cause, together with the time, when such person or persons are to appear, and the place where; and a copy thereof shall be left with the person so to be cited or processed, if the said person can be found; or in case the person so to be cited cannot be personally found, and is not out of the kingdom, then the said citation shall be shewed to, and the copy of the said docket or abstract shall be left with the son, daughter, menial servant, husband, wife, master, or mistress of the person so to be cited (such son, daughter, or menial servant being of sixteen years of age) at the usual place of abode of the said person so to be cited; or in case the person so to be cited hath no house, or be an inmate or lodger in any house, then it shall be sufficient service, to leave the said copy with a son, daughter, menial servant, master, or mistress belonging to the said house, where the person so to be cited shall be a lodger or inmate, such son, daughter, or menial servant being, as aforesaid, above the age of sixteen years. But if the person so to be cited, be a loose vagabond without any certain abode, then the court shall proceed in the usual form.

III. *To prevent abuses in commutation of penance.*

For preventing abuses in commutations of penance, suitable penance shall be decreed for every crime; and the said penance, or any part of it shall not be relaxed or commuted by any vicar general, chancellor, or official of the diocese without consent of the bishop of the diocese; or in the absence of the bishop, by the consent of two or more grave clergymen, commissioned by the said bishop for that purpose; which consent shall be signify'd under the hand and seal of the said bishop or clergymen. And neither the said bishop or clergymen shall

allow any commutation for the whole penance enjoin'd, but only for some part thereof, which may be thought inconvenient to be executed; and the mony taken on such commutations, shall be employed by appointment of the bishop, or clergymen deputed by him, on some pious or charitable work, to be performed in the parish, where the crime was committed.

IV. *Public warning to be given before excommunication.*

That contumacious persons may be the more inexcusable, when they persist in their own obstinacy 'till excommunication; for the future, with every citation against such contumacious person "ad videndum se excommunicari," there shall issue a mandate, directed to the minister or person officiating in the church, where the person, so to be excommunicated, is obliged to frequent divine service; or to the minister of some neighbouring parish in the same diocese, where there is divine service, requiring the said minister next Lord's day, or the next Lord's day following that at farthest, after the said mandate shall come to his hand, to read the abstract or docket in English of the said citation in church, in time of divine service; and publickly warn the party, if present, of his or her danger; and, if not present, admonish the people to take notice of it, and signify it to the party, if they meet him or her. And no sentence of excommunication shall be read, till the judge be certified, that the said mandate has been executed a fortnight before the time of excommunication, or the judge has personally admonished the contumacious person. And every minister or curate, to whom such a mandate is directed, shall enter a certificate under his hand and seal on the back of the said mandate, that it hath been duly executed, and deliver the said mandate and certificate to the mandatory, that executeth the citation, on demand, under pain of suspension. And then, if the judge shall think it needful to proceed to excommunication, if he be a presbyter, he shall read, and if not, he shall provide some grave presbyter to read the sentence of excommunication in open court.

V. *For the more effectual prevention and discovery of clandestine marriages,*

For the more effectual prevention of clandestine marriages, we constitute and appoint, that every person, who is married clandestinely, where neither banns according to the rubric have been published, or licence obtained, or where the said marriage is solemnized by a person not qualify'd by law, or in any other form, than that, which is prescribed by the church of Ireland, as by law established, and all, that are present at such marriages, shall be obliged to do public penance; and that the parties, so clandestinely married, shall be obliged to discover the person, that married or pretended to marry them, under pain of excommunication, from which they shall not be absolved, before they make such discovery.

Propo-

Archiepiſc. Cant.
THO. TENISON 18.

Anno Chriſti
1712.

Reg. Angliæ
ANNAE II.

Proposals of the lower houſe of convocation about matrimonial licences.
[April 30.]

WHEREAS it is by experience found, that notwithstanding the wholeſome proviſions made by the eccleſiaſtical law of this realm againſt irregular and clandestine marriages, yet through the corrupt practices of ſeveral diſorderly perſons, who are not ſufficiently reſtrained by the cenſures of the church, the holy office of matrimony is often performed after an undue and clandestine manner, from whence many and great inconveniences do ariſe; for the more effectual remedying and preventing thereof, be it enacted by the queen's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons in parliament aſſembled, and by the authority of the ſame, that from and after — — every parſon, vicar, or curate, who ſhall marry, or who knowingly and willingly ſubſtitute or permit any ſuch miniſter in his ſtead to marry any perſons whatſoever in any church or chapel, exempt or not exempt, or in any other place whatſoever, without publication of the banns of matrimony between the reſpective perſons according to law, or without licence for the ſaid marriage firſt had and obtained, and alſo all perſons, who ſhall be ſo married without banns or licence, ſhall ſeverally for every offence forfeit the ſum of — together with full coſts of ſuit to ſuch perſon or perſons, as will ſue for the ſame in any of her majeſty's courts of record. And be it further enacted by the authority aforeſaid, that every parſon, vicar, or curate, who ſhall marry any perſon in any priſon, or within the rules and precincts thereof, or in any taverns, or other public houſes, and alſo all perſons, who ſhall be married in ſuch places, ſhall for ſuch offence be proſecuted according to the eccleſiaſtical laws of this realm, and being duly convicted, ſhall upon certificate of ſuch conviction made by the ordinary to two juſtices of the peace of the town or county, where the perſon or perſons ſo offending do inhabit, be by them committed to the common goal of the ſaid town or county, there to remain cloſe priſoners without bail or mainprize for one whole year from the day of their commitment, and ſhall ſeverally forfeit the ſum of — And be it further enacted, that every keeper of any priſon, tavern, or public houſe, in which any ſuch undue marriages ſhall with his privy and conſent be celebrated, ſhall forfeit the ſum of — And be it enacted that if any perſon, falſly pretending to have received holy orders according to the conſtitutions of the church of England, ſhall preſume to marry any perſons, according to the form and rights of matrimony preſcribed in the liturgy of that church, he ſhall for ſuch offence be committed by one or more juſtices of the peace

of that county, where he liveth, or where he committed ſuch offence, to the common goal of the ſaid county, there to remain cloſe priſoner without bail or mainprize for one whole year from the day of his commitment, and moreover to forfeit the ſum of — And be it enacted by the authority aforeſaid, that every eccleſiaſtical judge, having power to grant licences or diſpenſations without thrice open publication of the banns, ſhall be, and is hereby obliged not to grant any ſuch licence or diſpenſations, without obſerving the rules and orders of the church of England; that is to ſay, the ſaid judge ſhall take good caution and ſecurity containing theſe conditions: Firſt, that at the time of granting every ſuch licence, there is not any impediment of precontract, conſanguinity, affinity, or other lawful cauſe to hinder the ſaid marriage. II. That there is not any controverſy or ſuit depending in any court before any eccleſiaſtical judge, touching any contract of marriage between either of the ſaid parties with any other. III. That the ſaid parties (except in caſe of widowhood) have obtained the expreſs conſent of their parents, if they be living, or otherwiſe of their guardians or governours. IV. That they ſhall celebrate the ſaid marriage publickly in the pariſh church or chapel, where one of them dwelleth, and in no other place, and that between the hours of eight or twelve in the forenoon. Moreover before any ſuch licence be granted, it ſhall appear to the judge himſelf, or to ſome other perſon of good reputation, and known likewiſe to the ſaid judge, that the expreſs conſent of parents or parent, if one be dead, or the guardians or guardian of the parties is thereunto had and obtained, except in caſes of widowhood. And furthermore one of the parties ſhall perſonally ſwear, that he believes, there is no let, or impediment, or precontract, kindred, or alliance, or any other lawful cauſe whatſoever, or any ſuit commenced in any eccleſiaſtical court, to bar or hinder the proceeding of the ſaid matrimony, according to the tenor of the ſaid licence. And if any judge ſhall grant any licence or diſpenſation for matrimony, without fully obſerving all and every of the ſaid conditions, or any proctor or register ſhall be aiding and aſſiſting in the procuring or ſpeeding any licence or diſpenſation for marriage without the ſaid conditions, he and they ſhall reſpectively forfeit the ſum of — and the like ſum of — ſhall be forfeited by each of the perſons, making the aforeſaid oath before the eccleſiaſtical judge, that the parents or guardians of the parties to be married, are conſenting to the marriage, for which a licence is prayed, if it ſhall afterward appear on ſufficient proof made before the judge,

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judge, who granted the said licence, that the parents or guardians were not consenting. And be it further enacted, that printed copies of this act be dispersed through all parish churches and chapels of this kingdom.

Whereas sundry ordinances, canons, and constitutions have been formerly made for preventing irregular and clandestine marriages, and for the regulating of faculties or licences granted for the solemnization of matrimony; we enjoin them all to be carefully observed

by all persons, whom they concern, upon the several penalties of the said ordinances, canons, and constitutions expressed. And for the more effectual preventing of such clandestine marriages, as well as for the reformation of sundry and grievous abuses in the granting and obtaining such licences; we do further ordain and decree, that no parson, vicar, or curate, upon pain of suspension per triennium ipso facto, ut supra.

Archiepisc. Cant.
THO. TENISON 20.

Anno Christi
1713.

Reg. Angliae
ANNAE 13.

Convocatio praelatorum et cleri provinciae Cantuar.

BREVE regium dat. August. 18. praelatos et clericum prov. Cantuar. ad 12. diem mensis

Novemb. convocabat; sed nihil in hac synodo tractatum fuit ante literas reginae sequentes.

The queen's letter to the convocation about business for them.

MOST reverend father in God, our right trusty and right entirely beloved counsellor, we greet you well. Whereas by our royal licence to the present convocation of the province of Canterbury we have, among other things, empowered and authorized them to confer, treat, debate, consider, consult, and agree of and upon such points, matters, causes, and things, as we from time to time should deliver, or cause to be delivered to you in writing under our sign manual or privy signet, to be debated, considered, consulted, and agreed upon; we do accordingly hereby transmit unto you the heads of such matters, as we think proper for the consideration of the said convocation, which are as follow:

The regulating the proceedings in excommunications, and reforming the abuses of commutation money.

The preparing a form for the visitation of prisoners, and particularly condemned persons. For admitting converts from the church of Rome, and such as shall renounce their errors. For restoring those, who have relapsed.

The establishing rural deans, where they are not, and rendering them more useful, where they are.

The making provision for preserving and transmitting more exact terriers, and accounts of glebes, tithes, and other possessions and profits belonging to benefices.

The regulating licences for matrimony according to the canon, in order to the more effectual preventing of clandestine marriages.

All which points, matters, and things we do hereby direct to be debated, considered, consulted, and agreed upon by the said convocation, pursuant to our licence aforesaid. And so we bid you heartily farewell. Given at our court at St. James's the 17th day of March, in the thirteenth year of our reign.

By her majesty's command.

BOLINGBROKE.

To the most reverend father in God, our right trusty and right entirely beloved counsellor Thomas, lord archbishop of Canterbury, primate of all England, and president of the convocation of the province of Canterbury.

Archiepisc. Cant.
THO. TENISON 20.

Anno Christi
1714.

Reg. Angliae
ANNAE 13.

The form for regulating proceedings in excommunications, and reforming the abuses by commutation money, as agreed by both houses of convocation. [April 30.]

IT is the opinion of this house, that the best and most effectual method for regulating the proceedings in excommunication, will be the obtaining an act of parliament for a writ "De contumaci capiendo," instead of that "De excommunicato capiendo," in all such causes, as follow; that is to say, in all causes of instance between party and party; and in all causes of office, as either are testamentary, or do

concern the parishioners for not duly paying their church rates; and also in such as have relation to the licensing of physicians, chirurgeons, and midwives; and further that in other causes of office, even such as do more immediately and directly concern the christian faith and reformation of manners, if any controversy shall arise concerning the payment of fees, and the party proceeded against, shall refuse to submit

submit therein to the authority of the court, sentence of contumacy only, and not that of excommunication shall be decreed or pronounced by the ecclesiastical judge against such party on account of such refusal; that the sentence of contumacy shall be sent to the minister of the parish, where the contumacious party dwells, under the seal of the court, and that the said minister shall openly publish it in the church in the time of divine service on the next Lord's day but one, after he has received it; and that all civil incapacities and disabilities, to which persons excommunicated are now subjected by the sentence of excommunication, shall for the future follow upon the sentence of contumacy being so published by the minister, as aforesaid, against any offender: and they are further of opinion, that this matter, before it be offered in parliament, should be humbly laid before her majesty.

II. If such an act of parliament, as in the former article is proposed, shall be obtained, we are further of opinion, that whenever any person is by any ecclesiastical judge decreed to be excommunicated, the schedule of excommunication shall not be read in court, until thirty days are expired after the making of such decree. And for the more deliberate and solemn proceeding in a matter of this high nature, due notice in writing shall forthwith be given of such decree made, and of the sentence, which will issue in pursuance thereof, not only to the party decreed to be excommunicated, but moreover to the minister officiating in the parish, where the said party dwells; which minister between the time of his receiving such notice, and the third Lord's day after the receipt thereof shall endeavour to apply himself privately to the said party, and to prevail with him to prevent the dreadful sentence of excommunication by a timely and dutiful submission to the authority of the church; and if the party shall not hearken to such private advice, and shall not promise under his hand to submit to the authority of the church, then the minister shall on the third Lord's day after notice of the aforesaid decree, make an open publication thereof in the church at the time of divine service, and shall represent the extreme danger of being cut off from the communion of the faithful, according to a form provided for that purpose. And after such private and public admonition, where both have been used, or of such private warning only, where that alone hath proved effectual, the minister shall by the proper officer of the court (who shall call upon him for that purpose) transmit to the ecclesiastical judge an account of his proceedings, and of the effect thereof. Provided nevertheless, that if, after the care taken for preventing the sentence of excommunication by notifying the decree there-

of both to the party, and to the minister of the parish in the manner above directed, the said party shall not within thirty days after the making such decree submit to the authority of the court; the ecclesiastical judge shall then without delay proceed to excommunicate the said party by reading, or causing to be read in court the sentence of excommunication, although the minister of the parish hath neglected or omitted to do any of the things enjoined; and in case of any such neglect or omission, the said judge shall notify the same to the bishop, who, if upon enquiry he see cause, shall himself proceed, or by writing under his hand direct process to be made for his contempt in such neglect or omission.

III. That in all crimes of ecclesiastical cognizance the judge and register shall send out their citations within three months at furthest after presentment duly made; and that no ecclesiastical officer shall prevent, or endeavour to prevent the citation or prosecution of any offender; nor shall any person, when cited, be dismissed, except in the public place of judicature between the hours of ten and two, and while the court is actually held there. And that no commutation of penance be hereafter accepted or allowed of by any ecclesiastical judge, without an express consent given in writing by the bishop of the diocese, or other ordinary having exempt jurisdiction, or by some person or persons to be especially deputed by them for that purpose; and that all commutations, or pretended commutations accepted or allowed otherwise, than is hereby directed, be ipso facto null and void.

That no sum of money, given or received for any commutation of penance, or any part thereof, shall be disposed of to any use, without the like consent and direction in writing of the bishop, or other ordinary having exempt jurisdiction, if the cause hath been prosecuted in their courts, or of the archdeacon, if the cause hath been prosecuted in his court; and all money received for commutation pursuant to the foregoing directions, shall be disposed of to pious and charitable uses by the respective ordinaries abovenamed, whereof at the least one third part shall by them be disposed of in the parish, where the offenders dwell. And that a register be kept in every ecclesiastical court of all such commutations, and of the particular uses, to which such money hath been applied; and that the account so registered, be every year laid before the bishop, or other exempt ordinary having episcopal jurisdiction, in order to be audited by them; and that any ecclesiastical judge or officer offending in any of the premises, be suspended forthree months for the said offence.

Archiepisc. Cant.
THO. TENISON 20.

Anno Christi
1714.

Reg. Angliae
ANNAE 13.

The form for making and preserving of terriers.*

I. **E**VERY register of any archbishop, bishop, archdeacon, or other ordinaries, exempt or not exempt, throughout this province shall within one year next after the ratification of these constitutions, deliver to the bishop of the diocese an attested calendar of the dates of all terriers remaining in his registry; and moreover every register belonging to any exempt ordinary, and having episcopal jurisdiction, shall deliver the like calendar to the said exempt ordinary, to which he belongs; and every ordinary, to whom such calendar shall be so delivered by their respective registers, shall take care, that notice be given to each incumbent of the terrier or terriers relating to his benefice; and every incumbent, immediately upon the receipt of such notice, shall make an entry of the same in the register book belonging to the parish.

II. In every parish throughout this province, where no such terrier, as is hereafter mentioned, hath been deposited in any registry within seven years last past, the minister, together with the churchwardens, or such of his parishioners, as shall be appointed by the bishop of the diocese, or other ordinary having episcopal jurisdiction, shall make a full and exact terrier of all such glebes, lands, meadows, gardens, orchards, houses, outhouses, pensions, woods, and underwoods growing upon the glebe, and also of all such portions of tithes lying out of the parish, as belong to his benefice; of which terrier the said minister and churchwardens shall provide three indented copies in parchment, each of them to be signed by the said minister, the churchwardens, or the parishioners aforesaid; and being so signed, one of the said copies shall be exhibited by the said minister and churchwardens at the next visitation of the bishop, or other ordinary having episcopal jurisdiction: another copy in like manner shall be by them exhibited at the next visitation of the archdeacon, or other ordinary having archidiaconal jurisdiction; the said two copies to be lodged in the registries respectively belonging to the said ordinaries, and the remaining copy, having been first examined and attested by the several registers, with whom the other two copies are lodged, shall be by them deposited in the public chest belonging to the parish. And further, for the better preserving the terriers of benefices within exempt jurisdictions, every ordinary so exempt shall take care, that within one year after the exhibiting of any terrier at his visitation, as aforesaid, an attested copy thereof be transmitted to the bishop of the diocese, to be deposited and kept in his registry.

III. Every register, in whose office any terriers are deposited or lodged, whether before, or pursuant to the direction of the foregoing constitution, shall sort and dispose the same in such method and order, as the bishop and other ordinary shall direct, and shall by no means permit any of them to be carried out of his office on any pretence or occasion whatsoever, without the consent of the bishop or other ordinary signified under his hand, nor till security be given for the safe restoring thereof within a time limited.

IV. The minister and churchwardens of every parish within the city of London burnt by the dreadful fire M.DC.LXVI. shall diligently enquire, whether such transcripts of assessments for the maintenance of the clergy there, as are appointed to be made by the statute 22 Car. II. cap. xv. have been taken and disposed of in such manner, as by that statute is required; and if they find, that such transcripts have been duly taken and disposed of, they shall make certificate thereof to the bishop of London, or other proper ordinary within six months after the ratification of these constitutions; but in case they find, that the said transcripts have not been duly taken and disposed of, they shall cause such transcripts to be forthwith taken and disposed of, as the said statute doth direct; and within other six months shall make certificate of their having so done to the said bishop, or other proper ordinary, under such penalties, as may by law be inflicted upon them for their neglect.

V. Every dean and prebendary of any cathedral or collegiate church within this province, being a sole corporation, and also every archdeacon and other dignitary, who hath any estate annexed to his dignity, shall within three years after the ratification of these constitutions, or sooner, if he conveniently can, cause an exact account to be taken of all the lands, houses, and hereditaments belonging to such dignity or prebend, and the same, with a copy of the lease or leases then being, shall transmit to the bishop of the diocese, and the dean and chapter of that church, whereunto the said dignity or prebend doth belong, to be by them entered into a register provided only for that purpose. And upon every renewal, which shall hereafter be made of any such estate, a like account, together with a copy of the lease then granted, shall be transmitted to the bishop of the diocese, and to the dean and chapter, to be by them registred as aforesaid; the same to be done to the dean and chapter by all petit canons, vicars choral, and others upon every renewal of any estate belonging to

* The same form was brought again into convocation June 27. M.DCC.XV.

the places, which they, or any of them hold in any cathedral or collegiate church: for registering of which account and lease aforesaid, the register or chapter clerk shall receive the customary fee, provided it does not exceed ten shillings.

VI. The archbishop and bishops shall, as soon as conveniently they may after the ratification of these constitutions, enquire of their proper officers, whether such entries have been made of the augmentations given to any vicarage or curacy within their respective dioceses, as by the statute of 29 Car. II. cap. XVIII. is required; and if it shall appear, that such entries have not been made, they shall give effectual order for such books to be provided, and such entries to be made, as by that statute are required: and every bishop, in whose registry any such entries have been or shall be hereafter lodged, shall, as soon as conveniently he can, give notice to the respective vicars or curates, who are entitled to such augmentations, and require them and every of them to take out an attested copy of the clause or clauses, which relate to such augmentations, as they are respectively entitled to; for which copy so attested, there shall be paid no more than one

shilling; and the said copy shall be deposited in the parish church, where the terrier is by these constitutions to be deposited and kept.

VII. Every bishop, dean and chapter, and every other ecclesiastical person or persons having a public registry, shall take care, that diligent search be made in the books and records of their respective registries for all ancient endowments and augmentations of benefices, and that a particular calendar thereof being taken, shall be sent to the bishop, who shall order the same to be entered into his registry, and shall direct the like search to be made in the books and records of his own registry, and shall give notice to the several incumbents respectively concerned of such endowment or augmentation remaining in any of the said registries; of which notice so given, an entry shall immediately be made by every such incumbent in the registry book belonging to the parish.

VIII. For the better ascertaining the rights of benefices, and preventing vexatious controversies relating thereunto, it is further ordained, that all bishops, and other ordinaries shall revive and enforce the use of yearly perambulations in all the parishes of this province.

Archiepisc. Cant.
THO. TENISON 20.

Anno Christi
1714.

Reg. Angliae
ANNAE 13.

Proceedings of the convocation about Dr. Sam. Clarke's book, entituled, "The scripture doctrine of the Trinity."

Application of the lower house about Dr. Clarke's book of the Trinity. [June 2. M.DCC.XIV.]

To his grace the lord archbishop of Canterbury, and the lords the bishops of the province of Canterbury in convocation assembled.

THE clergy of the lower house of convocation humbly represent, that a book hath of late been published and dispersed throughout this province, entituled, "The scripture doctrine of the Trinity," in three parts, wherein all the texts in the New Testament relating to that doctrine, and the principal passages in the liturgy of the church of England are collected, compared, and explained by Samuel Clarke, D. D. rector of St. James's Westminster, and chaplain in ordinary to her majesty, and several defences thereof by the same author; which book and defences do in our opinion contain assertions contrary to the catholic faith, as received and declared by this reformed church of England concerning three persons of one substance, power, and eternity in the unity of the Godhead, and tending moreover to perplex the minds of men in the solemn acts of worship, as directed by our established liturgy, to the great grief and scandal of pious and sober-minded christians.

And whereas there are divers passages in the book of Common Prayer, and in the xxxix.

articles, which are directly opposed to such heretical assertions; we do further represent to your lordships, that even these passages have by the said author been wrested with such subtilty, as may both teach and tempt the unstable and insincere to comply with the laws, which require them to declare their unfeigned assent and consent to the said book of Common Prayer, and to subscribe to the said articles, and nevertheless to retain and propagate the very errors, which are most inconsistent with such their declaration and subscription. It is with the utmost concern, that we behold these daring and dangerous attempts to subvert our common faith, to corrupt the christians worship, and to defeat the church's main end in agreeing upon her articles, namely the avoiding the diversity of opinions, and the establishing the consent touching true religion.

And we cannot therefore but think ourselves bound in duty to God and his church, in discharge of the weighty trust reposed in us, as members of this synod, and in charity to the souls committed to our care, most earnestly to beseech your lordships to take the premises into your serious and godly consideration, assuring your lordships of our most dutiful and ready concurrence in any proper methods, which may effectually put a stop to this growing mischief, and remove from ourselves the reproach, which our silence in so important an occasion might justly bring upon us.

Extracts of the heretical expressions of Dr. Clarke's book made by the lower house of convocation. [June 23.]

May it please your grace and your lordships.

The lower house, in pursuance of what your lordships were pleased to recommend to them in your paper of the twelfth instant, have extracted some passages out of Dr. Clarke's Scripture doctrine of the Trinity, and the defences thereof, and have disposed the extract they have made under the following heads, with a distinct regard to the several matters of complaint contained in their late representation.

Affertions contrary to the catholic faith, as received and declared by this reformed church of England concerning three persons of one substance, power, and eternity in the unity of the Godhead.

Scripture doctrine of the Trinity pag. 465. l. 2. If it (id est, the word *ὁμοούσιος*, which we translate of one substance with the Father) be understood to signify one individual substance, this will be properly one subsistence or one person only.

Letter to Dr. Wells p. 47. lin. 10. Now this I say (viz. that in the Godhead there are three persons of the same divine individual essence) is an express contradiction in the very terms.

Answer to the author of "Some considerations," etc. p. 224. l. 12. If the Father, the Son, and the Holy Spirit be conceived to be all but one individual being, it followeth of necessity, that the Son and Holy Spirit have no being at all.

Ibid. p. 289. l. 8. That two persons should be one being, is, I think, a manifest contradiction.

Ibid. p. 297. l. 4. This (viz. that the Father and Son are both but one and the same individual being) I think, is an express contradiction.

N. B. That the words "essence, being, and substance" are used by this author as equivalent terms. Vid. Scripture Doctrine p. 243. l. 1. et 9. p. 270. § XII. lin. 2. pag. 272. lin. 2. pag. 289. § XIX. lin. 2. p. 349. § XL. lin. 2. p. 350. § IV. lin. 2. p. 372. § LI. lin. 3. p. 373. lin. 19. Answer to the author of "Some considerations," etc. p. 229. lin. 9.

Scripture Doctrine p. 429. lin. 10. There are not three eternal persons.

Ibid. lin. 17. There are not three uncreated persons.

Ibid. lin. penult. There are not three almighty persons.

II. Passages tending to perplex the minds of men in the solemn act of worship, as directed by our established liturgy.

All the passages beforecited have in our opi-

nion this tendency, more particularly those, whereby the author pretends to explain some expressions in the Nicene and Athanasian creeds, which are parts of our divine service.

Of the like tendency are his * comments upon divers other expressions in the said creeds, in the doxology, litany, collects, and other offices of devotion, in which the church manifestly intends the worship of the Trinity in unity, and ascribes one and the same glory to the three persons without any difference or inequality.

But the most offensive passage under this head seems to be in pag. 476. of the said book, where having first connected the proper preface for Trinity Sunday with the words, "O Lord [holy Father] almighty, everlasting God," without taking notice, that the words "holy Father" are expressly ordered to be omitted on that day; he afterwards asserts, that the first, obvious, natural, and grammatical sound of the whole sentence is, that the person of the Father is not one only person, but three persons.

Which proceeding of this author is not only a manifest and gross misrepresentation of this particular form of devotion, but tendeth greatly to perplex the minds of men in the use of it, by insinuating, that whilst they are here acknowledging the one God to be not one only person, but three persons in one substance, they are all the while addressing themselves to the person of the Father singly, and absurdly declare him to be not one only person, but three persons.

III. Passages in the liturgy and xxxix. articles wrested by Dr. Clarke in such manner, as is complained of in the representation.

For these we refer to the whole second chapter of part the third of the Scripture doctrine of the Trinity, compared with page 24. and 25. of the introduction. In the second chapter he explains many passages in the liturgy and articles in a sense directly contrary to the known sense of the church; and in the introduction he desires it may be observed, that he gives his assent to the forms by law appointed in that sense only, wherein he himself hath explained them.

The lower house are persuaded, the foregoing extract does fully support their representation.

But moreover we beg leave to observe, that the offence given by the book complained of, seems to us to arise not only from such particular parts and passages thereof, as are before cited, but from the general drift and design of the whole. The said book in our opinion tending to nothing less, than to substitute the author's private conceits and arbitrary interpretations of scripture in the room of those catholic doctrines, which the church professes and maintains, as warranted both by holy scripture and antiquity.

[* Scripture doctrine part iii. ch. 11. p. 415. etc.]

Dr. Samuel Clarke's submission.

Concerning the eternity of the Son and Holy Spirit.

My opinion is, that the Son of God was eternally begotten by the eternal incomprehensible power of the Father, and that the Holy Spirit was likewise eternally derived from the Father by or through the Son, according to the eternal incomprehensible power and will of the Father.

Concerning preaching.

Before my book, entituled, "The scripture Doctrine," etc. was published, I did indeed preach two or three sermons upon this subject; but since the book was published, I have never preached upon this subject; and (because I think it not fair to propose particular opinions, where there is not liberty of answering) I am willing to promise (as indeed I intended) not to preach any more upon this subject.

Concerning writing.

I do not intend to write any more concerning the doctrine of the Trinity; but if I shall fail herein, and write any thing hereafter upon that subject contrary to the doctrine of the church of England, I do hereby willingly submit myself to any such censure, as my superiors shall think fit to pass upon me. And whereas it has been confidently reported, that the Athanasian creed, and the third and fourth

petitions of the litany have been omitted in my church by my directions; I do hereby declare, that the third and fourth petitions of the litany were never omitted at all; and that the Athanasian creed never was omitted at the eleven a-clock prayers, but at the early prayers only for brevity sake, at the discretion of the curate, and not by my appointment. As to my private conversation, I am not conscious to myself, that I have given any just occasion for those reports, which have been spread concerning me with relation to this controversy. I am sorry, that what I sincerely intended for the honour and glory of God, and so to explain this great mystery, as to avoid the heresies in both extreams, should have given any offence to this synod, and particularly to my lords the bishops. I hope my behaviour for the time to come with relation thereunto will be such, as to prevent any further complaints against me.

SAMUEL CLARKE.

We having received a paper subscribed by Dr. Clarke, containing a declaration of his opinion concerning the eternity of the Son and Holy Spirit, together with an account of his conduct for the time past, and intentions for the time to come (which paper we ordered to be entered in the acts of this house, and to be communicated to the lower house) do think fit to proceed no further upon the extract laid before us by the lower house.

Archiepisc. Cant.
THO. TENISON 20.

Anno Christi
1714.

Reg. Angliae
ANNAE 13.

Draught of canons for regulating matrimonial licences, in order to the more effectual preventing of clandestine marriages. [June 16.]

I. WE do straitly charge and enjoin all persons concerned to see, that the LXII, LXIII, LXX, XCIX, C, CI, CII, CIII, and CIVth canons be duely observed.

II. Whereas it is by the CII^d canon provided, that the security to be taken at the granting of licences for matrimony, shall contain this condition; that the parties shall celebrate matrimony publickly in the parish church or chapel, where one of them dwelleth, and in no other place; and whereas the good intent of the said canon hath been frustrated by inserting in such licences the names of other parish churches or chapels besides those, where the parties to be married dwell; we do constitute and appoint, that in every faculty or licence, which shall be henceforth granted, the name of the parish church or chapel, where one of the parties to be married dwells, or the names of both (if both parties lie within the jurisdiction) shall be inserted and no other, and if any ordinary, commissary for faculties, vicar general, or other judge shall offend herein, he shall for every time so offending be suspended from the execution of his office for the space of one whole year: and if any faculty or licence shall be ob-

tained for the celebration of matrimony in any church or chapel besides the parish church or chapel, where the parties to be married or one of them dwells, such licence shall be held void to all effects and purposes, as if there had never been any such licence granted; and the parties marrying by virtue of such licence, shall be subject to the punishments, which are appointed for clandestine marriages, and the minister, who married them, shall be suspended for one year.

III. No licence for matrimony shall be granted to any parties by any ordinary or judge, unless at least one of the said parties be usually inhabiting within the jurisdiction, or hath been commorant therein for the space of one whole month immediately before the said licence be desired; and one of the conditions in the said bond of security given by the parties taking such licence, shall be, that the said parties, or one of them have or hath been inhabiting or commorant, as aforesaid.

IV. No licence for matrimony shall be granted to any persons whatsoever under the age of twenty one years, unless the parents if they be living, or otherwise the guardians shall personally

nally appear before the judge, of whom the licence is desired, and expressly declare their consent, or shall by writing under their hands signify their consent to such marriage; of the truth of which hand writing the messenger, who brings the same, shall make oath before the judge, who shall forthwith cause an act to be made of the exhibiting thereof, and of the oath made by the messenger, who exhibited it.

V. No parson, vicar, or curate, on pain of suspension "per triennium ipso facto," shall substitute or employ knowingly, or wilfully permit and suffer any other minister to marry any persons in any church or chapel, to such parson, vicar, or curate belonging, without due publication of banns first made, or licence lawfully obtained for the marrying of the parties in the church or chapel of such parson, vicar, or curate.

VI. After banns duly published, or a licence or faculty first made and obtained, matrimony may be celebrated on all days, in the year, ex-

cept on Ashwednesday, and in Passion week, and on the yearly fast appointed for the murder of king Charles the martyr, and on all other solemn days of fasting, for which a particular service shall be enjoined by public authority; but no minister shall presume to celebrate matrimony either by banns or licence between any persons on the days before excepted.

VII. In all future entries of marriages in the register book the minister of every church and chapel within this province shall distinguish those, who are married by licence, adding the name of the judge, from whom such licence was obtained, together with the date thereof, and the names of the parishes, wherein both parties did live at the time of the granting the said licence; and a true copy of the registry of marriages so distinguished, shall be transmitted unto the bishop of the diocese or his chancellor in like manner, as the copy of the registry of marriages is already by the LXXth canon required to be transmitted.

Archiepisc. Cant.
THO. TENISON 20.

Anno Christi
1714.

Reg. Angliae
ANNAE 13.

A form for admitting converts from the church of Rome, and such as shall renounce their errors. [June 18.]

THE bishop, or some priest appointed by him for that purpose, being at the communion table, and the person to be reconciled standing without the rails, the bishop, or such priest as is appointed, shall speak to the congregation as followeth:

Dearly beloved.

We are here met together for the reconciling of a penitent (lately of the church of Rome, or lately of the separation) to the established church of England, as to a true and sound part of Christ's holy catholic church. Now that this weighty affair may have its due effect, let us in the first place humbly and devoutly pray to almighty God for his blessing upon us in that pious and charitable office we are going about.

Prevent us, O Lord, in all our doings with thy most gracious favour, and further us with thy continual help, that in this, and all other our works begun, continued, and ended in thee, we may glorify thy holy name, and finally by thy mercy obtain everlasting life, through Jesus Christ our Lord. Amen.

Almighty God, who shewest to them, that be in error, the light of thy truth, to the intent that they may return into the way of righteousness; grant unto all them, that are or shall be admitted into the fellowship of Christ's religion, that they may eschew those things, that are contrary to their profession, and follow all such things, as are agreeable to the same, through our Lord Jesus Christ. Amen.

Psalms CXIX. v. 161.

Let my complaint come before thee, O Lord, give me understanding according to thy word.

Let my supplication come before thee, deliver me according to thy word.

My lips shall speak of thy praise, when thou hast taught me thy statutes.

Yea my tongue shall sing of thy word, for all thy commandments are righteous.

Let thine hand help me, for I have chosen thy commandments.

I have longed for thy saving health, O Lord, and in thy law is my delight.

O let my soul live, and it shall praise thee, and thy judgments shall help me.

I have gone astray, like a sheep that is lost; O seek thy servant, for I do not forget thy commandments.

Glory be to the Father, etc.

As it was in the beginning, etc.

The lesson. Luke xv. to v. 8.

Then drew near unto him the publicans and sinners for to hear him. And the Pharisees and Scribes murmured, saying: This man receiveth sinners, and eateth with them. And he spake this parable unto them, saying: What man of you having an hundred sheep, if he lose one of them, doth not leave the ninety and nine in the wilderness, and go after that, which is lost, until he find it? and when he hath found it, he layeth it on his shoulders rejoicing; and when he cometh home, he calleth together his friends and his neighbours, saying unto them, rejoice with me, for I have found my sheep, which was lost. I say unto you, that likewise joy shall be in heaven over one sinner, that repenteth, more than over ninety and nine just persons, which need no repentance.

The

The hymn to be used, when the penitent comes from the church of Rome.

Pſalm. cxv. to y 10.

Not unto us, O Lord, not unto us, but unto thy name give the praise, for thy loving mercy and for thy truth's sake.

Wherefore shall the heathen say: Where is now their God?

As for our God he is in heaven, he hath done whatsoever pleased him.

Their idols are silver and gold, even the work of mens hands.

They have mouths, and speak not; eyes have they, and see not: they have ears, and hear not; noses have they, and smell not: they have hands, and handle not; feet have they, and walk not, neither speak they through their throat.

They that make them, are like unto them, and so are all such, as put their trust in them.

But thou, house of Israel, trust thou in the Lord; he is their succour and defence.

Glory be to the Father, etc.

As it was in the beginning, etc.

If the penitent comes from the separation, then this is to be used.

Pſalm cxxii.

I was glad, when they said unto me: We will go into the house of the Lord.

Our feet shall stand in thy gates, O Jerusalem.

Jerusalem is built as a city, that is at unity in itself.

For thither the tribes go up, even the tribes of the Lord, to testify unto Israel, to give thanks unto the name of the Lord.

For there is the seat of judgment, even the seat of the house of David.

O pray for the peace of Jerusalem, they shall prosper that love thee.

Peace be within thy walls, and plenteousness within thy palaces.

For my brethren and companions sake I wish thee prosperity.

Yea because of the house of the Lord our God I will seek to do thee good.

Glory be to the Father, etc.

As it was in the beginning, etc.

Then the bishop sitting in a chair, or the priest standing shall speak to the penitent, who is to be kneeling, as follows:

Dear brother, or sister.

I have good hope, that you have well weighed and considered with yourself the great work, you are come about, before this time; but in as much as with the heart man believeth unto righteousness, and with the mouth confession is made unto salvation; that you may give the more honour to God, and that this present congregation of Christ here assembled may also understand your mind and will in these things, and that this your declaration may the more confirm you in your good re-

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solutions, you shall answer plainly to these questions, which we in the name of God and of his church shall propose to you touching the same:

Art thou thoroughly persuaded, that those books of the Old and New Testament, which are received as canonical scriptures by this church, contain sufficiently all doctrine requisite and necessary to eternal salvation through faith in Jesus Christ?

Answer. I am so persuaded.

Dost thou believe in God the Father almighty, maker of heaven and earth, and in Jesus Christ, his only begotten Son our Lord, and that he was conceived of the Holy Ghost, born of the virgin Mary, that he suffered under Pontius Pilate, was crucified, dead, and buried, that he went down into hell, and also did rise again the third day, that he ascended into heaven, and sitteth at the right hand of God the Father almighty, and from thence shall come again at the end of the world to judge the quick and the dead?

And dost thou believe in the Holy Ghost, the holy catholic church, the communion of saints, the remission of sins, the resurrection of the flesh, and everlasting life after death?

Answer. All this I stedfastly believe.

Art thou truly sorrowful, that thou hast not followed the way prescribed in these scriptures for the directing of the faith and practice of a true disciple of Christ Jesus?

Answer. I am heartily sorry, and I hope for mercy through Jesus Christ.

Dost thou embrace the truth of the gospel in the love of it, and stedfastly resolve to live godly, righteously, and soberly in this present world all the days of thy life?

Answer. I do embrace it, and do so resolve, God being my helper.

Dost thou earnestly desire to be received into the communion of this church, as into a true and sound part of Christ's holy catholic church?

Answer. This I earnestly desire.

If the penitent come from the church of Rome, this question is to follow.

Dost thou renounce all the errors and superstitions of the present Romish church, so far as they are come to thy knowledge?

Answer. I do from my heart renounce them all.

If the penitent from the church of Rome be in holy orders, let these further questions be asked.

Dost thou in particular renounce the twelve last articles added in the confession, commonly called "The Creed of pope Pius IV." after having read them, and duly considered them?

Answer. I do upon mature deliberation reject them all, as grounded upon no warrant of scripture, but rather repugnant to the word of God.

Dost thou acknowledge the supremacy of the kings and queens of this realm, as by law

established, and declared in the thirty seventh article of religion?

Answer. I do sincerely acknowledge it.

Wilt thou then give thy faithful diligence always so to minister the doctrine and sacraments, and the discipline of Christ, as the Lord hath commanded, and as this church and realm hath received the same, according to the commandments of God, so that thou mayst teach the people with all diligence to keep and observe the same?

Answer. I will do so by the help of the Lord.

Wilt thou conform thyself to the liturgy of the church of England, as by law established?

Answer. I will.

If the penitent comes from the separation, these questions are to be asked.

Dost thou allow and approve of the orders of bishops, priests, and deacons [* as what have been in the church of Christ from the time of the apostles] and wilt thou, as much as in thee lieth, promote all due regard to the same good order and government of the church of Christ?

Answer. I do approve it, and will endeavour, that it may be so regarded, as much as in me lieth.

Wilt thou conform thyself to the liturgy of the church of England, as by law established, and be diligent in attending the prayers and other offices of the church?

Answer. I will do so by the help of God.

If the penitent be one, who has relapsed, the following question is to be asked.

Art thou heartily sorry, that when thou wast in the way of truth, thou didst so little watch over thy own heart, as to suffer thyself to be led away with the shows of vain doctrine? and dost thou stedfastly purpose to be more careful for the future, and to persevere in that holy profession, which thou hast now made?

Answer. I am truly grieved for my former unstedfastness, and am fully determined by God's grace to walk more circumspectly for the time to come, and to continue in this my profession to my life's end.

Then the bishop or priest standing up shall say:

Almighty God, who hath given you a sense of your errors, and a will to do all these things, grant also unto you strength and power to perform the same, that he may accomplish his work, which he hath begun in you, through Jesus Christ. Amen.

The absolution.

Almighty God, our heavenly Father, who of his great mercy hath promised forgiveness of

sins to all them, that with hearty repentance and true faith turn unto him, have mercy upon you, pardon and deliver you from all your sins, confirm and strengthen you in all goodness, and bring you to everlasting life, through Jesus Christ our Lord. Amen.

Then the bishop or priest taking the penitent by the right hand shall say unto him:

I N. bishop of — or I A. B. do upon this thy solemn profession and earnest request receive thee into the holy communion of the church of England, in the name of the Father, and of the Son, and of the Holy Ghost.

People: Amen.

Then the bishop or priest shall say the Lord's prayer, with that which follows, all kneeling.

Let us pray.

Our Father, which art in heaven, etc.

O God of truth and love, we bless and magnify thy holy name for thy great mercy and goodness in bringing this thy servant into the communion of this church; give him (or her) we beseech thee, stability and perseverance in that faith, of which he (or she) hath in the presence of God, and of this congregation witnessed a good confession. Suffer him (or her) not to be moved from it by any temptations of Satan, enticements of the world, the scoffs of irreligious men, or the revilings of those, who are still in error; but guard him (or her) by thy grace against all these snares, and make him (or her) instrumental in turning others from the errors of their ways, to the saving of their souls from death, and the covering a multitude of sins. And in thy good time, O Lord, bring, we pray thee, into the way of truth all such, as have erred and are deceived; and so fetch them home, blessed Lord, to thy flock that there may be one fold under one shepherd, the Lord Jesus Christ; to whom with the Father and the Holy Spirit be all honour and glory world without end. Amen.

Then the bishop or priest standing up (if there be no communion at that time) shall turn himself to the person newly admitted, and say:

Dear brother, or sister.

Seeing that you have by the goodness of God proceeded thus far, I must put you in mind, that you take care to go on in that good way, into which you are entered; and for your establishment and furtherance therein, that, if you have not been confirmed, you endeavour to be so the next opportunity, and receive the holy sacrament of the Lord's supper. And may God's Holy Spirit ever be with you. Amen.

The peace of God, which passeth all understanding, keep your heart and mind by Christ Jesus. Amen.

* That within the crotchets is to be used only when the penitent hath been a teacher in some separate congregation.

An exhortation to be read before EXCOMMUNICATION. 663

Archiepisc. Cant.
THO. TENISON 20.

Anno Christi
1714.

Reg. Angliae
ANNAE 13.

An exhortation to be read in the church, when the person decreed to be excommunicated is present. [July 5.]

N. B. When the person decreed to be excommunicated is absent, the passages within the crotchets [] are to be omitted, and instead of them the passages within the parenthesis () to be used.

Dearly beloved.

CHRIST our Lord a little before he ascended into heaven, left with his apostles a power to remit and retain sins^a.

During his conversation with them on earth, he had given them a commission at large, and had promised, that^b whatsoever they should bind on earth, should be bound in heaven. Which authority after his resurrection he farther explained and confirmed to them; ^cbreathing on them, and saying, Receive ye the Holy Ghost; whosoever sins ye remit, they are remitted unto them, and whosoever sins ye retain, they are retained. You observe, with what solemnity in words and gestures he committeth these powers to them.

The blessed apostles were not wanting to execute this important trust, but, knowing that a little leaven leaveneth the whole lump, did in the name, and with the power of our Lord Jesus Christ cut off notorious and incorrigible sinners from the communion of the church, lest such corrupt members should defile the whole body.

When any were thus cast out of the church, and bereaved of the privileges appertaining to the communion of saints, the faithful were admonished^d not to keep company with such persons, no not to eat with them, ^ebut to mark them and avoid them, and to^f withdraw themselves from them, that they might be ashamed.

In the ages, which succeeded that of the apostles, the bishops, who were left in their stead to preside over the household of God, retained and exercised this awful power; and in the writings, which they have left us, we meet with frequent examples of their putting it in execution.

Agreeable to the commandment of our Saviour recorded by the holy evangelist St. Matthew^g, the primitive church directed her clergy to apply to an obstinate offender, and to tell him his faults in secret, that, if such gentle method could prevail with him, all further severities might be thereby prevented. But if he would not hearken, the minister was to take with him one or two more, that in the mouth of two or three witnesses every word

might be established. And if he neglected to hear them, the church was publickly to be told of it. But if he neglected to hear the church, he was to be henceforth looked upon as an heathen man and a publican.

You see, with what tenderness, and caution, and love of souls this godly discipline was anciently exercised; you observe, by what leisurely steps, after how gentle a manner, and with what affectionate endeavour to prevent extremities the governours of the church proceeded in the application of their ghostly powers.

^h They knew the terror of the Lord, and therefore laboured incessantly in persuading their people to guard against it. They looked upon a sentence duly passed upon earth, ⁱas a certain anticipation of that, which would be passed in heaven, if not prevented in time by a penitential submission.

They acknowledged none to be christians, who were thus cast out of the church (^k the fold of Christ) in which the sheep of his pasture were required to hear and obey the voice of the shepherd. And therefore so long as there were any hopes of retaining her people within the pale of her communion, without dishonouring their profession by the scandal of their sin, or infecting Christ's flock with the contagion of it, they never proceeded to the final remedy of an utter excision.

But when no endeavours would bend the obstinate, nor melt the obdurate sinner, the dreadful sentence of excommunication was at last with great reluctance, and with an awful solemnity denounced against him^l, and he was cut off entirely from the church, as a person, whose case was judged to be desperate and incurable.

[Your case, my beloved, is near approaching to this sad extremity; you are now upon the very borders of this dreadful sentence, and the sword of excommunication is drawn and impending over you.

Consider, I beseech you, before it be too late, what inestimable privileges depend upon a^m communion with saints; of what importance it is to have fellowship with them, through whom alone you can have fellowship with God and with the Lamb. Consider howⁿ fearful a

^a St. John xx. 23.

^b St. Matth. xviii. 18.

^c St. John xx. 22, 23.

^d 1 Cor. v. 11.

^e Rom. xvi. 17.

^f 2 Theff. iii. 6, 14.

^g See chap. xviii. § 15, 16, 17. and compare with Apostol. Constitut. L. ii. C. 37, 38, 39.

^h 2 Cor. v. 11.

ⁱ *Summum futuri judicii praejudicium.* Tertull. advers. Gent. cap. xxxix. ^k Called in the Constitutions L. ii. c. 28. ^l *Νομὸς, ἀποκρίσις*, and by St. Clement in his first epist. to Corinth. ^m See Constitut. L. ii. c. 17.

et 41.

ⁿ 1 St. John i. 13.

^o Heb. x. 31.

thing

thing it is to fall from those glorious hopes, to which your baptismal covenant entitles you; what advantages and honour are annexed to the character of a member of Christ, a child of God, and an inheritor of the kingdom of heaven.

You are no longer such, than whilst you retain your title to the benefits of that sacred engagement, which are no where to be reaped, but in the household of faith, and no way to be recovered, but by ^o returning from whence you are fallen, and by submitting to the wholesome discipline of a severe repentance.]

(The case of our neighbour, and, as yet, brother in the Lord, A. B. is near approaching to this sad extremity; he is now upon the very borders of this dreadful sentence, and the sword of excommunication is drawn and impending over him.

We hope, that he will through God's grace consider, before it be too late, what inestimable privileges depend upon a communion with saints; of what importance it is to have fellowship with them, through whom alone we can have fellowship with God and with the Lamb: that he will ponder in his heart, how fearful a thing it is to fall from those glorious hopes, to which our baptismal covenant doth entitle us; what honours and advantages are annexed to the character of a member of Christ, a child of God, and an inheritor of the kingdom of heaven.

No one is any longer such, than whilst he retains his title to the benefits of that sacred engagement, which are no where to be reaped, but in the household of faith, and no way to be recovered by a notorious sinner, but by his returning from whence he is fallen, and by submitting to the wholesome discipline of a severe repentance.)

^p The holy fathers of the church inform us, what submissions were required from such a penitent to procure his pardon; how he must water his couch with tears, how he must mortify his most craving affections, and prostrate himself after the humblest manner before the public congregation in each assembly of the faithful for the worship of God.

Hear how Tertullian describes the severities of that discipline, which obtained in the earlier ages of the church.

^q It extends, saith he, its directions even to the garb and diet of a penitent, obliges him to neglect all care of dress and ornament, to lie in sackcloth and ashes, to afflict his soul with sorrowful reflections, and to cancel each instance of his guilt by bending all his endeavours to a quite contrary practice; as for eating and drinking, to use none for pleasure, but merely for sustenance. To pray without ceasing, to be frequent in fasting, to lament, and bewail, and to cry mightily unto the Lord his

God both day and night; to throw himself at the feet of God's ministers, and to embrace the knees of his faithful servants, thus earnestly soliciting the prayers of the whole church to prevent a final expulsion from it.

Ambrose (a bishop who lived in the fourth century) hath told us likewise of his own knowledge, what were the austerities, which penitents then submitted to in order to their forgiveness.

^r They quite furrowed their faces with cares and tears, they prostrated themselves in the church exposing their bodies even to be trod on; the very image of death was stamped upon their faces, which carried long the marks of that severity, wherewith they had been treated, in paleness and leanness, and in a settled habitual sorrow.

They wisely considered the advantage of these humiliations, that when they dejected the flesh (as Tertullian speaks) they exalted the spirit; that when they dishonoured the one, they advanced the other. And they chose rather to seek absolution in public, than to bear in private the torments of a self accusing, self condemning conscience.

They knew there would be ^s joy in heaven over each sinner that repenteth; that God willeth not the death of a sinner, but rather that he may repent and live. And with these encouragements they were excited to seek everlasting ^t salvation by the remission of their sins, through the tender mercies of God.

They were sensible, that if they did not obtain it, they were children of wrath, ^v aliens from the commonwealth of Israel, strangers to the covenant of promise, having no hope, without Christ, and without God in the world. They considered their case as the more deplorable, because they had ^x once been enlightened, and had tasted of the heavenly gift, and had been made partakers of the Holy Ghost, and had tasted the good word of God, and the powers of the world to come. And therefore they declined no hardships, they rejected no conditions, which might restore them to that comfortable state, from whence they were fallen. [These conditions are far less grievous, these hardships far less afflictive, than they severally were in the ancient church; so that you may avoid the censure, with which you are threatened, upon terms far easier and milder, than what would have been exacted of you under the primitive administration.

It is yet in your power to prevent, what afterward it will be more difficult to remedy. Be not partial to yourselves^y, that you have no sin; do not extenuate to your own heart (^z which is deceitful above all things) the horrors of your guilt. The less ^a you yourself do palliate and excuse it, the more indulgence it will find, and the more easy it will be to obtain

^o Rev. ii. 5.

tentia L. i. cap. 16.

^x Hebr. v. 4, 5.

^p Orig. in Levit. C. iii. Hom. 2.

^q St. Luke xv. 17. Ezek. xxxiii. 11.

^r 1 St. John i. 8.

^s Jerem. xvii. 9.

^t Tertull. De poenitent. C. ix. x.

^u St. Luke i. 77, 78.

^v Ambros. De poeni-

^w Ephes. ii. 12.

^x In quantum poenae vestrae non pepercistis, in tantum Deus vobis parcat. Pacian. in Paraenes. ad poenitent.

your pardon from the judge and father of all flesh. ^b If you confess your sin, he is faithful and just to forgive you your sins, and to cleanse you from all unrighteousness.

Do not therefore (with the haughty Pharisee) boast of your righteousness before God, ^c in whose sight no man living shall be justified; but rather smite upon your breast and say (with the humble publican) ^d God be merciful to me a sinner! pray to God, that he would ^e take away the stony heart out of your flesh, and give you an heart of flesh. Make your humble confession to him, and say (with the returning prodigal) ^f Father, I have sinned against heaven and before thee, and am no more worthy to be called thy son. Prostrate yourself before the throne of grace, and there entreat ^g the Lamb of God, who taketh away the sins of the world, that he would have mercy upon you, and take away yours also, that he would grant you (in order to it) the ^h godly sorrow, which worketh repentance, not to be repented of. Cry unto God in the mournful language of the penitent David, saying, ⁱ Have mercy upon me, O Lord, after thy great goodness; according to the multitude of thy mercies do away my offences. Wash me thoroughly from my wickedness, and cleanse me from my sin; for I acknowledge my faults, and my sin is ever before me. Turn thy face from my sins, and put out all my misdeeds. Make me a clean heart, O God, and renew a right spirit within me. Cast me not away from thy presence; and take not thy Holy Spirit from me. O give me the comfort of thy help again, and establish me with thy free Spirit; then shall I teach thy way to the wicked, and sinners shall be converted unto thee.

Above all things beware of adding to the iniquity of thy sin an obstinate opposition to those, ^k who are over you in the Lord and admonish you; ^l but submit yourself to them, for they watch for your soul, as that they must give an account.

If, as ^m men of like passions with you, they are in any thing mistaken; yet is not their judgment or their sentence to be presently set at nought. Authority may not be despised, because the persons are fallible, who are invested with it. ⁿ The powers that be, are ordained of God; and tho' the execution of them should be grievous unto you, yet you must receive it with submission, lest you be found afterwards to deserve it by your obstinacy.

I also, as one, who ^o watch for your soul, and must give an account of it, intreat you, that I may do it with joy and not with grief; and therefore in the meekness of the gospel, and in the bowels of Christ I ^p beseech you to be reconciled to God, which you can never be, whilst you stand at defiance with his church,

and condemn his most solemn ordinances. Remember the words of the Lord Jesus, how he said to his seventy disciples, and in them to all the ministers of his church: He that heareth you, heareth me, and he that despiseth you, despiseth me, and he that despiseth me, despiseth him that sent me.

Observe how nearly and affectionately the great ^r shepherd and bishop of our souls is interested in the honour of those, to whom (under himself) he hath committed the care of them.

O let no spirit of pride or perverseness move you to vilify their office, nor to disobey their authority, who by his gracious appointment have the rule over you, lest contending with them be construed as ^s fighting against God; lest the ^t sword of the Lord avenge the quarrel of his ambassadors, and you ^v perish at the last in the gainsaying of Korah and his company.

These things, well beloved, I am commanded to teach and exhort you. Think not, that ^x I am become your enemy, because I tell you the truth; think rather, that I tell you in prevention of a further danger, which is now very near approaching you, and which it must be my province, and my grief to denounce against you. Dreadful and solemn is the charge, which is given to the ministers of Christ ^y before God and the Lord Jesus, who shall judge the quick and the dead at his appearing in his kingdom, to preach the word, to be instant in season and out of season, to reprove, rebuke, and exhort with all long suffering and doctrine.

^z I have travailed in birth again for you, until Christ be formed in you afresh. ^a My bowels are enlarged toward you, ^b my heart's desire and prayer to God for you is, that you may be saved. ^c If there be therefore any consolation in Christ, if any comfort of love, if any fellowship of the Spirit, if any bowels and mercies, fulfil you my joy. Stray no further from the fold of Christ, lest the wolf devour you, and tear you in pieces, whilst there is none to help.

^d But whether you will hear, or whether you will forbear, I must deliver my own soul: if you die in your sin, because I have not given you warning, your blood will be required at my hands.

^e Life and death are now before you, and and it is yet in your choice, which shall be your portion. ^f In Christ's stead I pray and beseech you not to shut against yourself the door of mercy, not to exclude yourself voluntarily from the means of grace, ^g not to put yourself under the power of Satan by a chosen separation from the ministers of Christ, who serve at his altar, and are appointed to make inter-

^b 1 Joh. i. 9. ^c Psalm cxliii. 2. ^d St. Luke xviii. 11, 13. ^e Ezek. xxxvi. 26. ^f St. Luke xv. 18, 19.
^g St. John i. 29. ^h 2 Cor. vii. 10. ⁱ Psalm li. 1, 2, 3, 9, 10, 11, 12, 13. ^k 1 Thess. v. 12. ^l Heb. xiii. 17.
^m Acts xiv. 15. ⁿ Rom. xiii. 1. ^o Heb. xiii. 17. ^p 2 Cor. v. 20. ^q St. Luke x. 16. ^r 1 Pet. ii. 25.
^s Acts xxiii. 9. ^t Judg. vii. 18. ^u Jude ii. ^v Numb. xvi. ^w Galat. iv. 16. ^x 2 Tim. iv. 1, 2.
^y Galat. iv. 9. ^z 2 Cor. vi. 11, 12. ^a Rom. x. 1. ^b Phil. ii. 1, 2. ^c Ezek. ii. 5. iii. 11, 18, — 21.
^d Deut. xxx. 19. ^e 2 Cor. v. 20. ^f *ὁ λαός ἐστιν ἐπισκόπος τῆς ἐκκλησίας, τῆς ἀληθείας, ἐκκλησίας, etc.* Ignat. ad Smyrn. Epist.

cession with God for you.

Behold the arms of the church are as yet open to embrace you, she persuades, invites, and intreats you to be at peace with her; do not despise such a gracious call; do not force her to use her power, whilst with so much indulgence and lenity she warns you to avoid it; do not persist in slighting her clemency, lest it turn at length to vengeance, and drive upon you the judgments of God in this world, and in the world to come an everlasting separation from his blissful presence.

He of his infinite mercy grant, that you may apply this warning to the benefit of your precious soul, that you may have a lively sense of your present danger, and may bring forth the fruits, which are meet for repentance.

To him be glory and dominion now and ever.]

(Our offending brother may avoid the censure, with which he is threatened, upon terms far easier and milder, than would have been exacted from him under the primitive administration.

It is yet in his power to prevent, what afterwards it will be more difficult to remedy. If he confesseth his sin, God is faithful and just to forgive him his sins, and to cleanse him from all unrighteousness.

The apostle St. Paul hath taught us, that if any man be overtaken with a fault, we ought to restore such a one in the spirit of meekness; considering ourselves, lest we also be tempted. He exhorteth all christians to bear one another's burdens, and so to fulfil the law of Christ.

If therefore there be any consolation in Christ, any comfort of love, if any fellowship in the Spirit, if any bowels of mercies, we cannot but be touched with a tender and hearty compassion for the wretched deplorable state of this notorious and obstinate offender. We ought in our several stations, as opportunity shall offer, to use all methods possible of reclaiming him from sin, and rescuing him from the danger of perishing in his guilt, as knowing, that he, who converteth a sinner from the error of his way, shall save a soul from death, and hide a multitude of sins. We ought both in public and in private humbly and earnestly to beseech almighty God, that he would create in this miserable sinner a new and contrite heart, that lamenting his sins, and acknowledging his wretchedness, he may obtain of the God of all mercy perfect remission and forgiveness through Jesus Christ our lord. Amen.)

When this homily is used, the sermon for that day may be omitted.

Archiepisc. Cant.
THO. TENISON 20.

Anno Christi
1714.

Reg. Angliae
GEORG. I. I.

Directions to our archbishops and bishops for the preserving of unity in the church, the purity of the christian faith concerning the holy Trinity; and also for preserving the peace and quiet of the state.

GEORGE R.

MOST reverend, and right reverend fathers in God, we greet you well. Whereas we are given to understand, that there have of late been great differences among some of the clergy of this our realm about their ways of expressing themselves in their sermons and writings concerning the doctrine of the blessed Trinity; and whereas also unusual liberties have been taken by several of the said clergy, in intermeddling with the affairs of state and government, and the constitution of the realm, both which may be of very dangerous consequence, if not timely prevented; we therefore, out of our princely care and zeal for the preservation of the peace and unity of the church, together with the purity of the christian faith, and also for preserving the peace and quiet of the state, have thought fit to send you these following directions, which we straitly charge and command you to publish, and to see, that they be observed within your several dioceses.

I. That no preacher whatsoever in his sermon or lecture do presume to deliver any other doctrine concerning the blessed Trinity, than what is contained in the holy scriptures, and is agreeable to the three creeds, and the thirty nine articles of religion.

II. That in the explication of this doctrine they carefully avoid all new terms, and confine themselves to such ways of expression, as have been commonly used in the church.

III. That care be taken in this matter especially to observe the fifty third canon of this church, which forbids public opposition between preachers; because (as that canon expresses it) there groweth thereby much offence and disquietness unto the people; and that above all things they abstain from bitter invectives and scurrilous language against all persons whatsoever.

IV. That none of the clergy in their sermons or lectures presume to intermeddle in any affairs of state or government, or the constitution of the realm, save only on such special feasts and fasts, as are or shall be appointed by public authority; and then no further than the occasion of such days shall strictly require. Provided always, that nothing in this direction shall be understood to discharge any person from preaching in defence of our regal supremacy established by law, as often, and in such manner, as the first canon of this church doth require.

V. That the foregoing directions be also observed by those, who write any thing concerning the said subjects,

VI. Whereas

VI. Whereas also we are credibly informed, that it is the manner of some in every diocese before their sermon either to use a collect and the Lord's Prayer, or the Lord's Prayer only (which the fifty fifth canon prescribes as the conclusion of the prayer, and not the whole prayer) or at least to leave out our titles, by the said canon required to be declared and recognized; we do further direct, that you require your clergy, in their prayer before sermon that they do keep strictly to the form in the said canon contained, or to the full effect thereof.

VII. And whereas we also understand, that divers persons, who are not of the clergy, have of late presumed not only to talk and to dispute against the christian faith concerning the doctrine of the blessed Trinity, but also to write and publish books and pamphlets against the same, and industriously spread them through the kingdom, contrary to the known laws in that behalf made and enacted; and particularly to one act of parliament, made in the ninth year of king William the third, en-

tituled, "An act for the more effectual suppressing of blasphemy and profaneness;" we taking all the matters abovementioned into our royal and serious consideration, and being desirous to do what in us lies, to put a stop to these disorders, do strictly charge and command you, together with all other means suitable to your holy profession, to make use of your authority according to law, for the repressing and restraining of all such exorbitant practices. And for your assistance, we will give charge to our judges, and all other our civil officers, to do their duty herein, in executing the said act, and all other laws against all such persons, as shall by these means give occasion of scandal, discord and disturbance in our church and kingdom. Given at our court at St. James's the eleventh day of December, M.DCC.XIV. in the first year of our reign.

By his majesty's command.

TOWNSHEND.

Archiepisc. Cant.
THO. TENISON 21.

Anno Christi
1715.

Reg. Angliae
GEORG. I. I.

Convocatio praelatorum et cleri prov. Cant.

BREVE regium dat. Januar. 27. praelatos et clerum prov. Cantuar. ad vicesimum pri-

mum diem mensis Martii proxime sequentis convocabat.

The king's letter to the convocation about business for them.

GEORGE R.

MOST reverend father in God, our right trusty and right entirely beloved counsellor, we greet you well. Whereas by our royal licence to the present convocation of the province of Canterbury we have, among other things, empowered and authorized them to confer, treat, debate, consider, consult, and agree of and upon such points, matters, causes, and things, as we from time to time should deliver, or cause to be delivered to you in writing under our sign manual or privy signet, to be debated, considered, consulted, and agreed upon; we do accordingly hereby transmit unto you the heads of such matters, as we think proper for the consideration of the said convocation, which are as follow:

The regulating proceedings in excommunication, and commutation of penances.

The making provision for preserving and transmitting more exact terriers, and accounts of glebes, tithes, and other possessions and profits belonging to benefices.

The regulating licences for matrimony according to the canon, in order to the more effectual prevention of clandestine marriages.

The preparing a form for consecrating churches and chapels.

The better settling the qualifications, titles, and testimonials of persons, who offer themselves for holy orders.

The making the seventy fifth canon, relating to the sober conversation required in ministers, more effectual.

The making the forty seventh canon, which provides for curates, where ministers are lawfully absent from their benefices, more effectual; as likewise the forty eighth canon, touching the licensing such curates.

Rules for the better instructing and preparing young persons for confirmation, required by the sixty first canon, and for the more orderly performance of that office.

All which points, matters, and things we do hereby direct to be considered and treated by the said convocation, pursuant to our licence aforesaid, that when they shall be agreed, they may be laid before us for our royal consideration. And so we bid you very heartily farewell. Given at our court at St. James's the 5th day of May, M.DCC.XV. in the first year of our reign.

By his majesty's command.

TOWNSHEND.

To the most reverend father in God, our right trusty and right entirely beloved counsellor Thomas, lord archbishop of Canterbury, primate of all England and metropolitan, and president of the convocation of the province of Canterbury.

A form

Archiepisc. Cant.
THO. TENISON 21.

Anno Christi
1713.

Reg. Angliae
GEORG. I. I.

A form of consecrating churches, chapels, and churchyards, or places of burial.
[July 1.]

WHEN the bishop and the clergy, of which there shall be two at least, have entered the church or chapel in their several habits, let them, as they walk up from the west to the east end, repeat alternately the 24th psalm, the bishop beginning, "The earth is the Lords," etc. with "Gloria Patri."

When they are come to the Lord's table, the bishop sitting in his chair shall have the instrument of dedication, donation, and endowment of the church or chapel, churchyard or burial place presented to him by the founder, or some proper person, which he shall cause to be read by his register, or other officer deputed for that purpose; and after that the bishop shall lay such instrument or instruments upon the table, and standing on the north side thereof shall turn to the congregation and say:

Dearly beloved in the Lord. Forasmuch as devout and holy men as well under the law, as under the gospel, moved either by the secret inspiration of the blessed Spirit, or by express command of God, or by their own reason and sense of the natural decency of things, have erected houses for the public worship of God, and separated them from all profane and common uses, in order to fill mens minds with greater reverence for his glorious majesty, and affect their hearts with more devotion and humility in his service, which pious works have been approved and graciously accepted by our heavenly Father; let us not doubt, but he will also favourably approve this our godly purpose of setting apart this place in solemn manner to the performance of the several offices of our religious worship, and let us faithfully and devoutly beg his blessing on this our undertaking and say:

[The bishop kneeling shall say the prayer following]

O eternal God, mighty in power, of majesty incomprehensible, whom the heaven of heavens cannot contain, much less the walls of temples made with hands, and who yet hast been graciously pleased to promise thy especial presence in whatsoever place, even where two or three of thy faithful servants shall assemble in thy name to offer up their supplications and their praises to thee; vouchsafe, O Lord, to be now present with us, who are gathered here together to consecrate this place with all humility and readiness of heart to the honour of thy great name, separating it henceforth from all unhallowed, ordinary, and common uses, and dedicating it entirely to thy service, for reading therein thy most holy word, for celebrating thy holy sacraments, for offering to thy glorious majesty the sacrifices of prayer and thanksgivings, for blessing thy people in thy name, and performing of all other ordinances.

Accept, O Lord, this service at our hands, and bless it with such success, as may tend most to thy glory, and the furtherance of our happiness, thro' Jesus Christ, our blessed Lord and Saviour. Amen.

After this let the bishop stand up, and turning his face toward the congregation, say the following prayers:

Regard, O Lord, the supplications of thy servants, and grant, that whosoever shall be dedicated to thee in this house by baptism, may be sanctified with the Holy Ghost, delivered from thy wrath, received into the ark of Christ's church and ever remain in the number of thy faithful, and elected children. Amen.

Grant, O Lord, that they, who at this place shall in their own persons undertake to renew the promises and vows made by their sureties for them at their baptism, may receive such a measure of thy Holy Spirit, that they may be enabled faithfully to fulfil the same, and grow in grace to their lives end.

Grant, O Lord, that whosoever shall receive in this place the blessed sacrament of the body and blood of Christ thy Son, may come to that holy ordinance with faith, charity, and true repentance; and being filled with thy grace and heavenly benediction, may to their great and endless comfort obtain remission of their sins, and all other benefits of his passion. Amen.

Grant, O Lord, that by thy holy word, which shall be read and preached within this place, the hearers thereof may both perceive and know, what things they ought to do, and may have grace and power to fulfil the same. Amen.

Grant, O Lord, that whosoever shall be joined together in this place in the holy estate of matrimony, may faithfully perform and keep the vow and covenant betwixt them made, and may remain in perfect love together unto their lives end. Amen.

Grant we beseech thee, blessed Lord, that whosoever shall draw near unto thee in this place to give thee thanks for the great benefits they have received at thy hands, to set forth thy most worthy praise, to confess their sins unto thee, humbly to beg thy pardon for what they have done amiss, or to ask such other things as are requisite and necessary as well for the body, as the soul, may do it with that steadfastness of faith, that seriousness, attention, and devout affection of mind, that thou mayst accept their bounden duty and service, and vouchsafe to them whatsoever else in thy infinite wisdom thou shalt see to be most expedient for them. And this we beg for Jesus Christ his sake, our blessed Lord and Saviour. Amen.

After

After this let one of the priests (the appointed curate of the place, if he be present) begin and read the service for the day, except where it is otherwise ordered.

Proper psalms. xxxiv, cxxii, cxxxii.

The first lesson. 1 Kings chap. viii. from verse 22. to verse 62.

Second lesson. Hebrews x. from verse 19. to verse 26.

Then go on with the rest of the service, as upon litany days: after which let the bishop proceed to the communion service, and after the commandments, and one of the collects for the king, instead of the collect for the day shall be used this following:

O most gracious Lord God, we acknowledge, that we are not worthy to offer unto thee any thing belonging to us, yet we beseech thee out of thine infinite goodness graciously to accept the dedication of this place to thy service, and to prosper this our undertaking; receive the prayer and intercessions of us, and all other thy servants, who either now or hereafter entering into this house, shall call upon thee, and give both them and us grace to prepare our hearts to serve thee with reverence and godly fear; affect us with an awful apprehension of thy heavenly majesty, and with a deep sense of our own unworthiness, that so approaching thy sanctuary with lowliness and devotion, and bringing with us clean thoughts, pure hearts, bodies undefiled, and minds sanctified, we may be an acceptable people in thy sight, through Jesus Christ our Lord. Amen.

Epist. 1 Cor. ii. from verse 17. to 29.

Gospel. St. John ii. from verse 13. to 17.

Then shall follow the Nicene creed and sermon, after which the bishop is to proceed in the service of the communion. If the church or chapel was built and endowed by any private person or persons, then the bishop may add the following prayer immediately after the "Gloria in excelsis:"

Blessed be thy name, O Lord, that it hath pleased thee to put it into the heart of thy servant N. to erect this house for thy honour and worship. Bless, O Lord, him, his family, and substance, and accept this his pious charitable work; remember him concerning this, wipe not out this kindness that he hath shewed for thy house, and the offices thereof; and grant,

that all they, who shall enjoy the benefit of this pious work, may shew forth their thankfulness by making a right use of it to the glory of thy blessed name, through Jesus Christ our Lord. Amen.

Prevent us, O Lord, etc.

The peace of God, etc.

When the service in the church is finished, let the bishop and clergy with the people go into the churchyard, and standing in some convenient place, let the bishop say the following prayers:

O God, who hast taught us in thy holy word, that there is a difference between the spirit of a beast, that goeth downward to the earth, and the spirit of a man, which ascendeth up to God, who gave it; and likewise hast taught, that the bodies of thy saints are committed to the ground in sure and certain hope of the resurrection to eternal life; accept, we beseech thee, this charitable work of ours in separating this portion of ground, that they may rest in peace, and be preserved from all indignities; and give us all grace, that by the frequent instances of mortality we behold, we may learn and seriously consider, how frail and uncertain our condition here on earth is, and so number our days, as to apply our hearts unto wisdom; that in the midst of life thinking upon death, and daily preparing ourselves for the judgment that is to follow, we may have our part in the resurrection with him, who died for our sins, and rose again for our justification, and now liveth and reigneth with thee and the Holy Ghost one God world without end. Amen.

The grace of our Lord Jesus Christ, and the love of God, and the fellowship of the Holy Ghost be with you all evermore. Amen.

If there be only a churchyard to be consecrated adjoining to any church or chapel, let the common service of the day be read in the church or chapel, and at the end thereof let the instrument of donation be read before the bishop in the churchyard, and then let the bishop use the foregoing prayer.

But if the churchyard or burial place be remote from the church or chapel, it shall suffice to use only the prayer before appointed for that purpose, the instrument of donation being first read.

Archiepisc. Cant.

THO. TENISON 21.

Anno Christi

1715.

Reg. Angliae

GEORG. I. I.

A declaration made in the convocation to make the seventy fifth canon more effectual. [July 13. M.DCC.XV.]

THE lower house of convocation, after mature and diligent examination and search into the canons and constitutions now in force in the church of England relating to the sober conversation of ministers, do humbly represent to your lordships, and are of opinion, that one means to make the LXXVth canon more effectual is, to enforce it by a declaration to the effect following:

VOL. IV.

Whereas it hath been the religious care of the church of England to enjoin her clergy a pious, regular, and inoffensive behaviour, and under severe censures to prohibit such practices, as may give occasion of scandal, by the seventy fifth canon anno M.DC.III. to that purpose provided, which canon, with other constitutions now in force, would sufficiently answer the good ends, if duly put in execution; the pre-

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sent

670 *Declaration to make the LXXVth canon more effectual.*

sent synod therefore doth strictly charge all clergymen, that setting before their eyes the glory of God, the holiness of their calling, and the edification of the people committed to them, they carefully avoid all excess and disorder, and that by their christian and exemplary conversation they shine forth as lights unto others in all godliness and honesty. And we also require all those, to whom the government of the clergy of this church is committed, that they set themselves to countenance and encourage godliness, gravity, sobriety, and all unblameable conversation in the ministers of this church; and that (according to the power, with which they are entrusted) they diligently labour by the due execution of the abovenamed canon, and all other ecclesiastical provisions made for this end, to reform all offensive and

scandalous persons, if any be in the ministry (and many such we trust will not be found) as they tender the welfare and prosperity of piety and religion, and as they will answer to God for those scandals, which through their remissness and neglect shall arise and grow in this church of Christ. And the lower house do further represent to your lordships, and are of opinion, that another means to make the said LXXVth canon more effectual is, to restrain the correction of the manners of the clergy to the archbishop, bishops, archdeacons, and such other ecclesiastical judges only, as are in holy orders; and therefore humbly offer to your lordships consideration, whether it might not be proper for this synod to make a canon to that purpose.

Archiepisc. Cant.
THO. TENISON 21.

Anno Christi
1715.

Reg. Angliae
GEORG. I. 1.

An address of the convocation to the king about the maintenance of the ministers of the fifty new churches. [July 20.]

To the king's most excellent majesty.

WE your majesty's most dutiful and loyal subjects, the archbishop, bishops, and clergy of the province of Canterbury in convocation assembled, do think our selves obliged in duty and gratitude to your majesty to make our most humble acknowledgments of that gracious message, you were pleased to send to the house of commons, recommending the provision of a maintenance for the ministers, who are to attend the service of the fifty new churches, designed to be built in and about the city of London, and Westminster. A message so piously intended, and so well received, cannot fail of it's desired effect to the honour of the church of England, and the advancement of our holy religion.

After all the declarations your majesty has been pleased to make in favour of our established church, and the real proofs you have given of your concern for it's interest, we hope, that none will be found so unjust, as to doubt of your affection to it; and we most humbly assure your majesty, that we will take all opportunities to instill into those, who are under our care, the same grateful sense, that we ourselves have of your majesty's goodness.

May that God, who has put into your majesty's heart to do such things for us, unite the hearts of all your subjects in praising his mercy for the many blessings, we enjoy under your majesty's most auspicious government, and in making all the returns of honour and obedience, that are due to so good and gracious a sovereign.

Archiepisc. Cant.
GUIL. WAKE 1.

Anno Christi
1716.

Reg. Angliae
GEORG. I. 2.

The archbishop of Canterbury's letter to the right reverend the lords bishops of his province. [Westminster, June 5. M.DCC.XVI.]

My very good lord.

BEING by the providence of God called to the metropolitical see of this province, I thought it incumbent upon me to consult as many of my brethren the bishops of the same province, as were here met together during this session of parliament, in what manner we might best employ that authority, which the ecclesiastical laws now in force, and the customs and laws of this realm have vested in us, for the honour of God, and for the edification of his church, committed to our charge; and upon serious consideration of this matter, we all of us agreed in the same opinion, that we should, by the blessing of God upon our honest endeavours, in some measure promote those good

ends, by taking care (as much as in us lieth) that no unworthy persons might hereafter be admitted into the sacred ministry of the church, nor any be allowed to serve as curates, but such as should appear to be duly qualified for such an employ; and that all, who officiated in the room of any absent ministers, should reside upon the cures which they undertook to supply, and be ascertained of a suitable recompence for their labours.

In pursuance of those resolutions, to which we unanimously agreed, I do now very earnestly recommend to you,

I. That you require of every person, who desires to be admitted into holy orders, that he signify to you his name and place of abode,

and

and transmit to you his testimonial, and a certificate of his age duly attested, with the title, upon which he is to be ordained, at least twenty days before the time of ordination; and that he appear on Wednesday, or at farthest on Thursday in Ember week, in order to his examination.

II. That if you shall reject any person, who applies for holy orders, upon the account of immorality proved against him, you signify the name of the person so rejected, with the reason of your rejecting him, to me within one month; that so I may acquaint the rest of my suffragans with the case of such rejected person before the next ordination.

III. That you admit not any person to holy orders, who having resided any considerable time out of the university, does not send to you, with his testimonial, a certificate signed by the minister, and other credible inhabitants of the parish where he so resided, expressing, that notice was given in the church in time of divine service on some Sunday, at least a month before the day of ordination, of his intention to offer himself to be ordained at such a time; to the end that any person, who knows any impediment, or notable crime, for the which he ought not to be ordained, may have opportunity to make his objections against him.

IV. That you admit no letters testimonial on any occasion whatsoever, unless it be therein expressed, for what particular end and design such letters are granted; nor unless it be declared by those, who shall sign them, that they have personally known the life and behaviour of the person for the time by them certified; and do believe in their conscience, that he is qualified for that order, office, or employment, to which he desires to be admitted.

V. That in all testimonials sent from any college or hall in either of the universities, you expect, that they be signed, as well as sealed; and that among the persons signing, the governor of such college or hall, or in his absence, the next person under such governor, with the dean, or reader of divinity, and the tutor of the person, to whom the testimonial is granted (such tutor being in the college, and such person being under the degree of master of arts) do subscribe their names.

VI. That you admit not any person to holy orders upon letters dimissory, unless they are granted by the bishop himself, or guardian of the spiritualities, sede vacante; nor unless it be expressed in such letters, that he, who grants them, has fully satisfied himself of the title, and conversation of the person, to whom the letter is granted.

VII. That you make diligent enquiry concerning curates in your diocese, and proceed to

ecclesiastical censures against those, who shall presume to serve cures, without being first duly licensed thereunto; as also against all such incumbents, who shall receive and employ them, without first obtaining such licence.

VIII. That you do not by any means admit of any minister, who removes from another diocese, to serve as a curate in yours, without testimony of the bishop of that diocese, or ordinary of the peculiar jurisdiction, from whence he comes, in writing, of his honesty; ability; and conformity to the ecclesiastical laws of the church of England.

IX. That you do not allow any minister to serve more than one church or chapel in one day, except that chapel be a member of the parish church; or united thereunto; and unless the said church or chapel, where such a minister shall serve in two places, be not able in your judgment to maintain a curate.

X. That in the instrument of licence granted to any curate, you appoint him a sufficient salary according to the power vested in you by the laws of the church, and the particular direction of a late act of parliament for the better maintenance of curates.

XI. That in licences to be granted to persons to serve any cure, you cause to be inserted, after the mention of the particular cure provided for by such licence, a clause to this effect, "or in any other parish within the diocese, to which such curate shall remove with the consent of the bishop."

XII. That you take care, as much as is possible, that whosoever is admitted to serve any cure, do reside in the parish, where he is to serve, especially in livings, that are able to support a resident curate; and where that cannot be done, that they do at least reside so near to the place, that they may conveniently perform all their duties both in the church and parish.

These, my lord, were the orders and resolutions, to which we all agreed, and which I do hereby transmit to you; desiring you to communicate them to the clergy of your diocese, with an assurance, that you are resolved, by the grace of God, to direct your practice in these particulars agreeably thereunto. And so commending you to the blessing of God in these, and all your other pious endeavours for the service of his church, I heartily remain,

My very good lord,

Your truly affectionate brother,

W. CANT.

A repre-

672 *Representation of the L. H. about the B. of BANGOR's sermon.*

Archiepisc. Cant.
GUIL. WAKE 2.

Anno Christi
1717.

Reg. Angliae
GEORG. I. 3.

A representation of the lower house of convocation about the bishop of Bangor's sermon of the kingdom of Christ. [May 3. M.DCC.XVII.]

To his grace the lord archbishop of Canterbury, and to the lords the bishops of the province of Canterbury in convocation assembled.

Humbly sheweth,

THAT with much grief of heart we have observed, what in all dutiful manner we now represent to your grace and your lordships, that the right reverend the lord bishop of Bangor hath given great and grievous offence by certain doctrines and positions by him lately published partly in a sermon, entituled, "The nature of the kingdom or church of Christ," and partly in a book, entituled, "A preservative against the principles, and practices of the Nonjurors both in church and state.

The tendency of the doctrines and positions contained in the said sermon and book is conceived to be

I. First, to subvert all government and discipline in the church of Christ, and to reduce his kingdom to a state of anarchy and confusion.

II. Secondly, to impugn and impeach the regal supremacy in causes ecclesiastical, and the authority of the legislature to enforce obedience in matters of religion by civil sanctions.

The passages in the sermon and book aforesaid, which are conceived to carry the evil tendency expressed under the first article, are principally these that follow:

I. [Sermon.] At page 11. octavo edition, his lordship affirms — "As the church of Christ is the kingdom of Christ, he himself is king; and in this it is implied, that he is himself the sole lawgiver to his subjects, and himself the sole judge of their behaviour in the affairs of conscience and eternal salvation. And in this sense therefore his kingdom is not of this world; that he hath in those points left behind him no visible, human authority; no vicegerents, who can be said properly to supply his place; no interpreters, upon whom his subjects are absolutely to depend, no judges over the consciences or religion of his people." This passage seems to deny all authority to the church, and under pretence of exalting the kingdom of Christ, to leave it without any visible human authority to judge, censure, or punish offenders in the affairs of conscience and eternal salvation.

Which will be confirmed by the passage next to be produced pag. 15, 16.

II. "If therefore the church of Christ be the kingdom of Christ, it is essential to it, that Christ himself be the sole lawgiver and sole judge of his subjects in all points relating to the favour or displeasure of almighty God;

and that all his subjects, in what station soever they may be, are equally subjects to him; and that no one of them, any more than another, hath authority either to make new laws for Christ's subjects, or to impose a sense upon the old ones, which is the same thing; or to judge, censure, or punish the servants of another master in matters relating purely to conscience or salvation. If any person hath any other notion either through a long use of words with inconsistent meanings, or through a negligence of thought; let him but ask himself, whether the church of Christ be the kingdom of Christ, or not? and if it be, whether this notion of it doth not absolutely exclude all other legislators and judges in matters relating to conscience or the favour of God? or whether it can be his kingdom, if any mortal man have such a power of legislation and judgment in it?"

To the same sense he speaks page 25. "No one of his subjects is lawgiver and judge over others of them in matters relating to salvation, but he alone."

If the doctrine contained in these passages be admitted, there neither is nor hath been since our Saviour's time any authority in the christian church in matters relating to conscience and salvation, not even in the apostles themselves, but all acts of government in such cases have been an invasion of Christ's authority, and an usurpation upon his kingdom.

To which effect his lordship further expresses himself page 14. — "When they (i. e. any men on earth) make any of their own declarations or decisions to concern and affect the state of Christ's subjects with regard to the favour of God; this is so far the taking Christ's kingdom out of his hands, and placing it in their own. Nor is this matter at all made better by their declaring themselves to be vicegerents, or lawmakers, or judges under Christ, in order to carry on the ends of his kingdom."

Which words are not restrained to such decisions, as are inconsistent with the doctrines of the gospel, as appears not only from the general manner, in which he hath expressed himself, but from his direct words page 15. "And whether they happen to agree with him, or to differ from him, as long as they are the lawgivers and judges, without any interposition from Christ either to guide or correct their decisions, they are kings of this kingdom, and not Christ Jesus."

Whether these passages exclude the sacred writers as well as other from making decisions, and interpreting the laws of Christ, your lordships will judge by a passage page 12. — "Nay whoever hath an absolute authority to interpret any

any written or spoken laws, it is he, who is truly the lawgiver to all intents and purposes, and not the person, who first wrote or spoke them." When a distinction is made between the interpreters of the written and spoken law, the sacred writers only can be meant by the latter. Others have had the written law, they only of all interpreters heard it spoke by Christ; and his lordship has left us only this choice, either to deny their authority to interpret the laws of Christ, or to charge them with setting up for themselves in opposition to their master.

III. These doctrines naturally tend to breed in the minds of the people a disregard to those, who are appointed to rule over them. Whether his lordship had this view, the following passages will declare page 25. "The church of Christ is the number of persons, who are sincerely and willingly subjects to him, as lawgiver and judge in all matters truly relating to conscience or eternal salvation. And the more close and immediate this regard to him is, the more certainly and the more evidently true it is, they are of his kingdom." And page 31. "If Christ be our king, let us shew ourselves subjects to him alone in the great affair of conscience and eternal salvation; and without fear of man's judgment live and act, as becomes those, who wait for the appearance of an all-knowing and impartial judge, even that king, whose kingdom is not of this world."—

IV. To these doctrines his lordship's description of the church doth well agree. He asserts page 17. "That it is the number of men, whether small or great, whether dispersed or united, who truly and sincerely are subjects to Jesus Christ alone, as their lawgiver and judge in matters relating to the favour of God and their eternal salvation:" and page 24. "The grossest mistakes in judgment about the nature of Christ's kingdom or church have arisen from hence, that men have argued from other visible societies, and other visible kingdoms of this world, to what ought to be visible and sensible in his kingdom:" and page 25. "We must not frame our ideas from the kingdoms of this world of what ought to be in a visible and sensible manner in his kingdom."

V. Against such arguings from visible societies and earthly kingdoms, his lordship says, our Saviour hath positively warned us; [page 25.] — and yet the scripture representations of the church do plainly express its resemblance to other societies in many respects, and we presume his lordship could not be ignorant of the nineteenth article of our church, entituled, "Of the church," viz. "The visible church of Christ is a congregation of faithful men, in the which the pure word of God is preached, and the sacraments be duly administered according to Christ's ordinance in all things, that of necessity are requisite to the same." Though in disparagement of this article by himself solemnly and often acknowledged, he asserts page 10. "That the notion of the church hath been so diversified by the various alterations it hath undergone, that it is almost impossible so much

as to number up the many inconsistent images, that have come by daily additions to be united together in it."

We wish, that in his lordships account no images necessary to form a just and true notion of the church had been left out. He omits even to mention the preaching the word, or administering the sacraments; one of which, in the words of the twenty seventh article of our church, is a sign of regeneration or new birth, whereby, as by an instrument, they, that receive baptism rightly, are grafted into the church. We could wish also, that his lordship, whilst he was writing on the subject of the power of the church, had remembered his solemn profession made at his consecration, in which he promised by the help of God to correct and punish according to such authority, as he hath by God's word, and as should be committed to him by the ordinance of this realm, such, as be unquiet, disobedient, and criminous in his diocese.

Your grace and your lordships have seen the tendency of the doctrine in the sermon to throw all ecclesiastical authority out of the church. We now proceed to shew, that the doctrines before delivered in the "Preservative," etc. have the same tendency.

VI. Where, not to trouble your lordships with the contempt thrown on the regular succession of the ministry, and of their own order in particular, for which his lordship has found no better words, than trifles, niceties, dreams, inventions of men, etc. we observe, that as in the sermon all rulers and judges in the visible church are laid aside, so in the book all church communion is rendered unnecessary, in order to intitle men to the favour of God; and every man is referred in these cases to his private judgment, as that which will justify even the worst choice he can make.

Which strange opinion his lordship grounds on what he calls a demonstration in the strictest sense of the word in a paragraph pag. 89, 90. which is indeed nothing but the common and known case of an erroneous conscience, which was never till now allowed wholly to justify men in their errors, or in throwing off all the authority of lawful governours. For this is putting all communions on an equal foot, without regard to any intrinsic goodness, or whether they be right or wrong, and making every man, how illiterate and ignorant soever, his own sole judge and director on earth in the affair of religion.

The use his lordship intends from this doctrine is expressed page 90. "Every one may find it in his own conduct to be true, that his title to God's favour cannot depend upon his actual being, or continuing in any particular method, but upon his real sincerity in the conduct of his conscience and of his own actions under it:" and in page 91. is laid down this general proposition: "The favour of God follows sincerity, considered as such, and consequently equally follows every equal degree of sincerity."

If sincerity as such [i. e. meer sincerity] exclusive from the truth or falshood of the doctrine or opinion, be alone sufficient for salvation, or to intitle a man to the favour of God, if no one method of religion, be in itself preferable to another, the conclusion must be, that all methods are alike in respect to salvation or the favour of God.

VII. His lordship himself, in a point of the tenderest concern, has applied this principle to the whole reformation, and in virtue of it has left no difference between the popish and our reformed church, but what is founded in personal persuasion only, and not in the truth of the doctrines, or in the excellency of one communion above the other. The place we refer to, is at page 85. — “What is it, that justified the protestants in setting up their own bishops? Was it, that the popish doctrines and worship were actually corrupt; or that the protestants were persuaded in their own consciences, that they were so? the latter without doubt; as appears from this demonstration. Take away from them this persuasion; they are so far from being justified, that they are condemned for their departure. Give them this persuasion again, they are condemned, if they do not separate. Or in another manner: suppose a papist, not persuaded of that corruption, to separate; he is, for the want of that persuasion alone condemned: suppose a protestant, or one thoroughly persuaded of that corruption, to separate; and he is justified in so doing; or not to separate, and he is condemned.” From this pretended demonstration his lordship concludes: “If this were duly and impartially considered, it would be impossible for men to unchristian, unchurch, or declare out of God's favour any of their fellow creatures upon any lesser, or indeed any other consideration, than that of a wicked dishonesty and insincerity; of which in these cases God alone is judge.”

If it be true, that there is but one consideration, viz. that of wicked dishonesty and insincerity, which will justify unchristianing, unchurching, or declaring out of God's favour, and of that one consideration in these cases God alone is judge; there is evidently an end of all church authority to oblige any to external communion, and of all power, that one man, in what station soever, can have over another in matters of religion: and this will shew, what his lordship's true meaning is under the many colours and disguises he makes use of, when he speaks of excommunication; and that he does not write more against the abuse, than the use of it.

VIII. Your lordships will judge from hence, what view he has in pronouncing at page 101. “Human benedictions, human absolutions, human denunciations, human excommunications have nothing to do with the favour or anger of God:” and in teaching them as human engines permitted to work for a time (like other evils) by providence page 101. as mere outcries of human terror page 99. as the terrors of men,

and vain words page 98. —

How his lordship can consistently with these opinions make good his solemn promise made at his consecration, to be ready with all faithful diligence to banish and drive away all erroneous and strange doctrines contrary to God's word, and both privately and openly to call upon and encourage others to do the same; and how he can exercise the high office intrusted to him in the church, or convey holy orders to others, are difficulties, which himself only can resolve, and we humbly hope your grace and your lordships will think it proper to call for the explication.

In maintenance of the second article we offer your lordships the following particulars:

IX. That whereas his majesty is, and by the tutes of this realm is declared to be supreme head of the church; and it is by the statute 1 Elizabeth. cap. i. enacted, that such jurisdictions, privileges, superiorities, and preeminences spiritual and ecclesiastical, as by any spiritual and ecclesiastical power or authority hath heretofore been, or may lawfully be exercised or used for the visitations of the ecclesiastical state and persons, and for reformation, order, and correction of the same, and of all manner of errors, heresies, scisms, abuses, offences, contempts, and enormities, shall for ever by authority of this present parliament be united and annexed to the imperial crown of this realm: in consequence of which the kings and queens of this realm have frequently issued forth their proclamations, injunctions, and directions in matters of religion; and particular his majesty, that now is, did issue his directions for preserving of unity in the church, and the purity of the christian faith concerning the holy Trinity, bearing date December 11. M.DCC.XIV. Georgii primo; yet his lordship in contradiction to this affirms page 14. [sermon] “If any man upon earth have a right to add to the sanctions of his (i. e. Christ's) laws, that is to encrease the number, or alter the nature of the rewards and punishments of his subjects in matters of conscience or salvation; they are so far king's in his stead, and reign in their own kingdoms, and not in his:” and to the same purpose page 18. — “The sanctions of Christ's law are rewards and punishments: but of what sort? not the rewards of this world; not the offices or glories of this state; not the pains of prisons, banishments, fines, or any lesser or more moderate penalties; nay, not the much lesser negative discouragements, that belong to human society. He was far from thinking, that these could be the instruments of such a persuasion, as he thought acceptable to God.”

And whereas the scripture, and our own liturgy from thence has taught us to pray for kings, and all, that are put in authority under them, that they may minister justice to the punishment of wickedness and vice, and to the maintenance of true religion and virtue; his lordship asserts page 20. [sermon] “As soon

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as ever you hear of any of the engines of this world, whether of the greater or the lesser sort, you must immediately think, that then, and so far the kingdom of this world takes place. For if the very essence of God's worship be spirit and truth; if religion be virtue and charity under the belief of a supreme governor and judge; if true real faith cannot be the effect of force; and if there can be no reward, where there is no willing choice; then in all, or any of these cases to apply force or flattery, worldly pleasure or pain, is to act contrary to the interest of true religion, as it is plainly opposite to the maxims, upon which Christ founded his kingdom; who chose the motives, which are not of this world, to support a kingdom, which is not of this world."

X. The two first cases here mentioned relate to what is essential in the worship of God and religion; yet he declares, that to encourage religion by temporal rewards, is to act contrary to the interest of true religion, as it is opposite to the maxims, on which Christ founded his kingdom. This is to set the worship of God and the neglect of it, religion and irreligion on an equal foot in this world, as if, because they shall hereafter be distinguish'd by rewards and punishments by the great judge, therefore the magistrate was excluded from interposing with rewards and punishments to distinguish them here, and tied up from expressing any concern for his honour, by whom and under whom he beareth rule.

This his lordship further supports page 22.-- "And therefore when you see our Lord in his methods so far removed from those of many of his disciples; when you read nothing in his doctrine about his own kingdom, of taking in the concerns of this world, and mixing them with those of eternity; no commands, that the frowns and discouragements of this present state should in any case attend upon conscience and religion;—no calling upon the secular arm, whenever the magistrate should become christian, to enforce his doctrines, or to back his spiritual authority; but on the contrary, as plain a declaration, as a few words can make, that his kingdom is not of this world; I say, when you see this from the whole tenor of the gospel, so vastly opposite to many, who take his name into their mouths; the question with you ought to be, whether he did not know the nature of his own kingdom or church better, than any since his time? whether you can suppose, he left any such matters to be decided against himself, and his own express professions?" Where your lordships will observe, that all laws for the encouragement of religion, or discouragement of irreligion are reckoned to be decisions against Christ.

XI. The passages produced under this head, are as destructive of the legislative power, as of the regal supremacy; but the acts for uniformity of public prayer, and the articles for establishing of consent touching true religion, which in the last of the said acts are enjoined to be subscribed by the several degrees of per-

sons ecclesiastical, being the main fence and security of the established church of England, they seem to be singled out by his lordship to be render'd odious. The passage we refer to, is to be found page 27, 28, 29. [sermon] "There are some professed christians, who contend openly for such an authority, as indispensably obliges all around them to unity of profession, that is, to profess even what they do not, what they cannot believe to be true. This sounds so grossly, that others, who think they act a glorious part in opposing such an enormity, are very willing for their own sakes, to retain such an authority, as shall oblige men, whatever they themselves think, though not to profess what they do not believe, yet to forbear the profession and publication of what they do believe, let them believe it of never so great importance. Both these pretensions are founded upon the mistaken notion of the peace, as well as authority of the kingdom, that is, the church of Christ. Which of them is the most insupportable to an honest and a christian mind, I am not able to say; because they both equally found the authority of the church [of Christ upon the ruins of sincerity and common honesty, and mistake stupidity and sleep for peace, because they would both equally have prevented all reformation, where it hath been, and will for ever prevent it, where it is not already; and in a word, because both equally divest Jesus Christ of his empire in his own kingdom, set the obedience of his subjects loose from himself, and teach them to prostitute their consciences at the feet of others, who have no right in such a manner to trample upon them.

If your lordships consider by what authority the acts of uniformity were enacted, by whom the articles were made, and by whom ratified and confirmed, you will discern, who they are that are said to divest Jesus Christ of his empire in his own kingdom, and stand charged by his lordship in the indecent language of trampling upon the consciences of others.

XII. Your lordships have now seen under the first head, that the church hath no governors, no censures, no authority over the conduct of men in matters of conscience and religion; you have seen under the second head, that the temporal powers are excluded from any right to encourage true religion, or to discourage the contrary.

But to do justice to his lordship's scheme, and to set it before you in its full light, we must observe, that he further asserts, that Christ himself (the only power not yet excluded) never doth interpose in the direction of his kingdom here. After observing page 13. [Sermon] that temporal lawgivers do often interpose to interpret their own laws, he adds: "But it is otherwise in religion, or the kingdom of Christ. He himself never interposeth, since his first promulgation of his law, either to convey infallibility to such, as pretend to handle it over again, or to assert the true interpretation of it amidst the various and contradictory opinions of

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men about it. To the same purpose he speaks at page 15. in a passage before recited.

Since then there are in the church no governors left in the state, none, who may intermeddle in the affairs of religion, and since Jesus Christ himself never doth interpose; we leave it to your grace and your lordships to judge, whether the church and kingdom of Christ be not reduced to a meer state of anarchy and confusion, in which every man is left to do, what is right in his own eyes.

XIII. We beg leave to close these observations in the words of the thirtyfourth article of our church: "Whosoever through his private judgment willingly and purposely doth openly break (much more teach and encourage others to break) the traditions and ceremonies of the church, which be not repugnant to the word of God, and be ordained and approved by common authority, ought to be rebuked openly (that others may fear to do the like) as one, that offendeth against the common order of the church, and hurteth the authority of the magistrate, and woundeth the consciences of weak brethren.

Having thus laid before your grace and your lordships the several passages, upon which this our humble representation is grounded, together with our observations on them, we must profess ourselves to be equally surprized and concerned, that doctrines of so evil a tendency should be advanced by a bishop of this established church, and that too in a manner so very remarkable, that the supremacy of the king should be openly impeached in a sermon delivered in the royal audience, and that the constitution of the church should be dangerously undermined in a book professedly written against the principles and practices of some, who had departed from it.

But so it hath happened: this right reverend bishop in his extreme opposition to certain unwarrantable pretensions to extravagant degrees of church power seems to have been so far transported beyond his temper and his argument, as not only to condemn the abuse, but even to deny the use, and to destroy the being of those powers, without which the church, as a society, cannot subsist, and by which other national constitutions, next under Christ, are chiefly supported. Under these apprehensions we could not but hold ourselves obliged to represent our own sense, with that of our brethren the clergy, to your lordships, and to submit the whole to your much weightier judgment which we do as with the most unfeigned sorrow for the unhappy occasion, and all becoming

deference to our superiors, so with the most sincere and disinterested zeal, and with no other view in the world, but to give a check to the propagation of these erroneous opinions, so destructive of all government and discipline in the church, and so derogatory to the royal supremacy, and legislative authority, as, we presume, may have been sufficiently evinced. Of our honest and loyal intentions, we doubt not but your lordships in your known goodness will favourably apprise his majesty, if it shall be thought needful or expedient, in order to set this matter, together with our proceedings thereupon, in a true and proper light.

We are by no means infeasible, that there are divers other offensive passages in the sermon and book above mentioned, which we for the present omit, as not falling so directly under the two heads proposed; nor are we ignorant, that several offensive books have of late time been published by other writers, whose confidence doth loudly call for the animadversions of the synod, to which also we shall be ready to contribute our endeavours; but we apprehended this to be a case very singular and extraordinary, such as deserved a separate consideration, that a bishop of this church should in his writings make void and set at nought those very powers, with which he himself is invested, and which by virtue of his office he is bound to exercise; in particular as often as he confers holy orders, institutes to any ecclesiastical benefice, or inflicts spiritual censures: nor were we less apprehensive, that the eminence of his lordship's station and character, as it aggravates the scandal, would also help to spread the ill influence further and faster under that colour of argument, with which he endeavours to cover this his pernicious tenets.

If your grace and your lordships, after having maturely weighed the premises, shall find just cause for the complaints, which have given rise to this representation, we rest assured, that in your godly zeal and great wisdom you will not fail to enter upon some speedy and effectual method to vindicate the honour of God and religion, that hath been so deeply wounded, to assert the prerogative given to all godly princes in holy scripture, that hath been so manifestly invaded, and to resettle those weak and wavering minds, which may have been ensnared or perplexed by any of the unsound doctrines taught and published by this right reverend bishop. Which your lordships pious counsels and endeavours will be attended with the united prayers of us, our brethren, whom we represent, and of all good christian people.

A P P E N D I X.

Ut nihil ex clar. SPELMANNI duobus voluminibus Conciliorum omisſiſſe videamur, ea, quae data opera exinde non recenſuimus, utpote ad rem noſtram haud bene facientia, hic inferemus. *Ex primo volumine.*

D E D I C A T I O.

Dei vicario, eccleſiae nutricao, fidei defenſori, Carolo, Dei gratia Magnae Britanniae, Francia, et Hiberniae regi, etc. magno, piſſimo, auguſtiſſimo.

CONCILIA, decreta, leges, et conſtitutiones in re eccleſiarum orbis veſtri Britannici, rex auguſtiſſime, longe lateque diſperſa, et in latibulis plerunque haecenus dormientia, ſuſcitare aliquando tandem periclitati ſumus, et in corpus unum congeſta, veſtrae majeſtati, ad quam jure pertinent, humillime dicare. Cui enim mortalium offerendas potius cogitarem leges eccleſiae, quam veſtro patrocinio, cujus eſt et leges eccleſiae, et ipſam eccleſiam fovere, protegere, tueri; qui ^a Dei vicarius, ^b eccleſiae nutricius, et tam e votis eccleſiae, quam e juſtiſſimo haereditatis veſtrae titulo, ^c defenſor fidei conſtituti eſtis? Non dico, ut, quae hic occurrunt, omnia ſerenitatis veſtrae alis complectamini (ſunt enim alia atque alia fidei orthodoxae repugnantia, nonnulla plane inutilia, et multa quidem hodiernae rerum conditioni minime congruentia) ſed ut proſtigatis futilibus et iniquis, juſta reliqua et laudabilia pro veſtris agnoſcatis. Ex utroque vero genere priſcam hic Britannicae eccleſiae fabricam per aetates ſingulas intueamini et politiam; quis nimirum, et quando eam primo legibus circumſcripſit; quae origo juris hic eccleſiaſtici, quale olim fuit, et quanta potestatis; quibus latum auſpiciis, quo ſuſceptum honore, et quo obſequio conſervatum.

Videbitis hic praeterea, quali olim cura, et quanto ſtudio antiquiſſimi veſtri deceſſores eccleſiam Dei amplexi ſunt et venerati; ut infantulam eam in eremum pulſam, et in finibus terrarum orbis exulantem, primi omnium mortalium hoſpicio publico exceperunt, placidaque pace compoſuerunt. Veſtri, inquam, ^d majores (et, ut quidam perhibent, Arviragus, Marius, Coilus, reges celeberrimi) terris omnibus exploſos chriſtianos ſuo primi ſuſceperunt regno; et non ſolum laetam eis conceſſerunt pacem, ſed et habitandi regiunculam. Primi eccleſiae publicae aediſcandae tuendaeque potestatem fecerunt; fidei promovendae veniam primi indulſerunt; cum ea nec Romae adhuc, nec alicubi gentium per univerſitatis ambitum publice concederetur. Primus etiam regum omnium ſuſcepit anteceſſor veſter Lucius^e, rex Britannicus, ſacram baptiſmatis ablutionem; regum primus evangelio propagando ſtudit; regibusque univerſis ωρονφωσφορ chriſtianitatis eluxit lucifer et praeluxit. Primus regum ſuis ſumptibus eccleſias condidit; episcopales primus conſtituit ſedes; ſacerdotibus erexit habitacula; eademque haec omnia luculentis dotavit praediis, et ut tutius poſſiderentur, amplis munivit privilegiis. Hinc Britannia^f veſtra a tranſmarinis auctoriſus, atque ipſis alias Romanis prima agnoſcitur e permiſſu principum fidei ſuſceprix et ſeminarium; primum praedicatorum et ſeminantium hoſpitiū publicum; profugorum religionis ergo et exulantium refugium certum et aſylum ſalubre. Nec ſufficit quidem, Britanniam veſtram primum edidiſſe regem chriſtianum, qui divino refulgens lumine, totum orbem Britannicum ſuis accendebat radiis; ni Romani orbis imperator primus chriſtianus, qui univerſae eccleſiae pacem intulit, ^g Britannia etiam veſtra oriundus eſſet Conſtantine Magnus; ſicut et regina illic prima chriſtiana, mater ejus Helena.

Si ad reges ſequentium ſeculorum veniamus, quis non ſtupeat plurimum eorundem eximiam pietatem, incredibilem ardorem, eleemoſynas inſignes, multimoda opera miſericordiae, munificentiam in miniſtros Dei, et in eccleſiis condendis, ornandis, ditandis profuſionem magnificam et admirandam?

^h Ferunt, plus minus, triginta reges et reginas intra ducentorum annorum ſpatium, depoſito mun-

^a Epist. Eleuther. pap. aſcrip. Ll. Edw. Confess. cap. xvii. Bract. lib. I. cap. viii. § 5. lib. II. cap. xxiv. § 1. Sax. Ser. Lhyjter ſpeligend. i. Chriſti vicarius. ^b Eſa. ca. xl. 23. ^c Breve Ric. II. in regit. Elienſ. an. mcccxxxiv.

^d "Fidei cathol. defenſores et ſumus, et eſſe volumus." V. Doc. Barkham epiſt. ad Jac. reg. in lib. Crakanthorp. Item bul. aur. Leonis pa. X. dat. idib. Octob. mxxx. in theſau. ſcaccar. ^e Malms. ait res reges, ſed hos nominat Capgravius et alii. ^f Beda Hiſt. Eccl. lib. I. cap. iv. et hic infra in Appar. ^g "Omnium provinciarum prima publice evangelium recepit." Polyd. Hiſt. lib. II. Baron. an. 35. nu. 5. ^h Baron. an. 306. nu. 16. ⁱ Chron. MS. Capgrave et alii.

dani regni fastigio, ut vi caelum caperent, in religiosorum abiisse solitudinem; quindecim scil. reges (vel plures) monachos factos fuisse, aut Romipetas; reginas tredecim moniales; duodecim etiam reges martyrio ab infidelibus coronari memorantur, et decem prae eximia sanctitate inter divos redigi. Adeo ut quidam ait: "Mirum tunc fuerat, regem videre non sanctum." Et alius^k in sua chronica: "Plures," inquit, "se invenisse sanctos reges in Anglia, quam in ulla alia mundi provincia quantumcunque populosa." Transeo regiae sobolis eximiam multitudinem: reges memero.

Ecquis facile crediderit, Aethelwulfum^l regem decimam partem non solum bonorum et facultatum, sed et mansionum praediorumque totius regni ecclesiae contulisse? Aut quod de filio ejus, Aluredo Magno, praedicatur; qui Zachaei aestuans ardoribus, dimidiam partem census sui annui in pios erogavit usus, temporisque partem tertiam (hoc est, dierum singulorum naturalium horas octo) studiis sacris et^m orationibus destinavit? O stuporem omnium aetatum Aluredum! cujus dum religionem intuemur, nunquam exiisse videatur monasterio; dum bella et militiam, nullibi versatus fuisse unquam, nisi in castris (quingenta duobus enim dimicasse fertur praeliis) dum scripta ejus et lucubrationes, vitam transegisse in academia; et dum regni populique sui administrationem, nibilo unquam studuisse, nisi in foro et senatu justitiae promovendae, legibusque bonis lanciendis. Liceret utinam sigillatim omnia enarrasse.

Nec praeteream pronepotem ejus, Eadgarum regem, qui inter multa alia egregiae majestatis et pietatis opera ita claruit, ut non solum, "quamdiu vixerat, unum quolibet anno fundaret monasterium" (ut Capgraviusⁿ retulit) sed, cum sub tempore antecessorum suorum regum omnia monasteria in tota Anglia destructa penitus essent a Danis barbarisque, "Ego," inquit, "meis cooperatoribus strenue annitentibus, quadraginta septem monasteria cum monachis et sanctimonialibus constitui, et (si Christus vitam mihi tamdiu concesserit) usque ad quinquagesimum, remissionis [Jubilaei] numerum, meae devotae Deo munificentiae oblationem protendere decrevi." Deficiet dies, Edwinum, Inam, Offam, Ethelredum, filium Ethewulfi, Edmundum, Aethelstanum, Canutum, Edwardum Confessorem, et singulos quosque enumerare; cum inter omnes illos illustrissimos reges, antecessores vestros, Anglosaxones christianos, vix reperiatur, censeo, tertius, qui ecclesiam Dei in aliquibus non ornaverit, auxerit, ditaverit. Taceo procerum nubem densam: taceo matronarum et nobilium foeminarum ingentem chorum.

Clerum ipsum, si placet, intueamur. Clerum inquam, nec tum olim in scribendo clarum (si Bedam et Alcuinum, aliumque unum vel et alterum excipiamus) nec supra morem rudium, in quibus floruit, seculorum eruditum; pium tamen, et in crebris jejuniis, orationibus, divinoque cultu, pro religionis suae norma, exhibendo sedulum; in eleemosynis vero, operibusque charitatis, et in excolendo ecclesiam Dei egregie sane praelucentem. Non hic prosequendi sigillatim locus est, quot basilicae et monasteria, quot ecclesiae et xenodochia ab archiepiscopis, episcopis, et clero caetero extructa sunt, amplissimisque dotata praediis et facultatibus; habentur sparsim apud auctores nomina; valor summatim in Henrici VIII. fisco regio.

Placeat clementissimae vestrae majestati unum tantummodo exemplum agnoscere, et ex eo, unius praesulis sub prisco seculo amplitudinem, in usus publicos fructuosam. Cum Herebertus^p a Lonsinga, abbas Ramesiensis, datis Gulielmo II. regi 1900. lib. in episcopatum Thetfordensem ascendisset, Wintoniensem etiam abbatiam patri suo non exigua summa comparasset, Romam proficiscitur, et magnam vim thesauri ad delendam tantam simoniam, aulae licet coactam vitio, effudit nomine poenitentiae. Reversus demum, minus videbatur pecuniosus; sed jam tum episcopalem sedem a Thetfordia pago in Norwicum civitatem transferens, eximiam illic basilicam, seu ecclesiam cathedralem Christo condidit. Huic ab australi latere nobile posuit monasterium S. Trinitatis, a boreali sumptuosum episcopatu palatium. Thetfordiae Cluniacensium instituit abbatiam monachorum, Lennae prioratum, et ad Hieri ostium, quod Yarmouth dicitur, coenobiolum^q. Sua etiam monasteria praediis ditavit et suppellectili, nihil ab episcopatu subtracto, ne successoribus videretur injuriam intulisse. Super haec omnia^r, 5. alias ecclesias construxit; unum S. Leonardo extra muros civitatis Norwici; alteram in ipsa civitate; tertiam Helmbamiae, ubi olim fuerat episcopalis cathedra; quartam Lennae, eamque primariam illam S. Margariae; quintam denique Hiermutbiae, spatiosam valde et capacem. "Ingenti ergo," inquit Malmesburius, "et numerosa virtutum gratia praeteritarum offensarum obumbravit molem." Prodigiosum memoro, et in hoc genere stellam primae magnitudinis. Erant etiam in secunda magnitudine clari multi, qui in ecclesiis condendis, sacris promovendis, pauperibus alendis, nudis vestiendis, captivis redimendis, servis manumittendis, aliisque operibus pietatis exequendis, omnes suas facultates, praeter victum et vestitum necessarium, effuderunt. Patrimonium enim ecclesiarum suarum sibi non dari norunt, sed credi; et se non fuisse ejusdem mere proprietarios, at fiduciarios possessores, tam ad usum ecclesiarum suarum atque pauperum, quam ad sui ipsorum proprium: sic etenim a regibus et aliis benefactoribus olim concedi, sic a patribus et clero jam tum accipi; non ad luxum aut voluptatem, non ad praedia comparanda, ditandamve sobolem aut cognatos, aut familiam novam erigendam. Docent hoc patres et concilia luculenter, statuuntque canones non solum transmarini, sed et^s Britannici. Istiusmodi igitur virtutibus emicuit clerus aevi veteris et Anglosaxonici;

^l Capgrav. in prolog.^k Andr. in fasc. temp.^l V. vol. I. ad an. DCCCLV.^m Asser. Menev. et alii.ⁿ In prolog. ad vitas SS.^o Charta ejus de Oswaldeflaw supra in an. DCCCCLXIV.^p Malmesb. Gest. Pontif.

lib. II. Alex. Nevyl in Norw. et alii.

^q Malmesb. de episc. lib. II.^r Alex. Nevyl in Norwico.^s Excerpt.

Ecgberti, archiep. Ebor. can. 5. et canon. Aelfrici 24.

habuitque sine dubio, quo luculentius has exequeretur. Sacerdotis enim familia tenuis tunc erat ex ejus coelibatu; beneficium vero multo uberius, quod in multis locis una solum tunc erat ecclesia, ubi sub aevo Gulielmi II. tres vel quatuor erigebantur¹: plures aevo posteriore. Et licet exiguae plerunque eruditionis essent sub illis seculis sacerdotes; e vitae tamen probitate, et in obeundis praefacultate sua, in suis ministeriis diligentia, eam alias apud populum inibant gratiam, ut Bedae² placuerit ita proloqui: "Tota," inquit, "tunc fuit sollicitudo doctoribus illis Deo serviendi, non seculo; tota cura cordis excolendi, non ventris. Unde et in magna veneratione erat tempore illo religionis habitus; ita ut ubicunque clericus aliquis aut monachus adveniret, gaudenter ab omnibus, tanquam Dei famulus, exciperetur; etiam si in itinere pergens inveniretur, accurrebant, et flexa cervice, vel manu signari, vel ore illius se benedici gaudebant."

Magno sane, quod ait, in honore fuit universus clerus cum apud populum et proceres, tum apud ipsos reges Anglosaxonicos; nec precaria hoc quidem concessione, sed ipsis confirmatum legibus. Sacerdos ad altare celebrans, minori Thano, id est, villae domino atque militi, aequiparabatur, in censu capitis pariter aestimatus³, pariterque alias honorandus. Quia Thani rectitudine dignus est, inquit lex, et abbas, sive coenobiarcha inter Thanos majores (quos barones regis appellarunt posteri) primicerius fuit. Episcopus similiter inter comites ipsos majores, qui integro fruebantur comitatu, juribusque comitivis. Archiepiscopus duci et satrapae amplissimae provinciae, pluribus gaudenti comitatibus, praeficiebatur; ut et caeteri omnes ecclesiastici comparibus suis omnibus secularibus. Amplectebantur siquidem reges universum clerum laeta fronte, et ex eo sibi semper legebant primos a conciliis, primos ad officia reipublicae obeunda. Quippe sub his seculis apud ipsos solum erat literarum clavis et scientiae, dum militiae prorsus indulgerent laici; factumque est interea, ut os sacerdotis oraculum esset plebis; os episcopi oraculum regis et reipublicae. Primi igitur sedebant in omnibus regni comitiis et tribunalibus episcopi, in regali quidem palatio cum regni magnatibus, in comitatu una cum comite et justitiario comitatus, in² turno vicecomitis cum vicecomite, in hundredo cum domino hundredi. Sic ut in promovenda justitia usquequaque gladius gladium adjuvaret, et nihil, inconsulto sacerdote, qui velut saburra in navi fuit, ageretur.

Mutavit priscam hanc consuetudinem Gulielmus I. jurisdictionem alteram ab altera discretis secernens tribunalibus. Et secrevit quidem tribunalia, non diminuit jurisdictionem cleri; imo jurejurando confirmavit leges "Sanctae matris ecclesiae; quoniam per eam," inquit prooemium⁴, "rex et regnum solidum subsistendi habent fundamentum." Decrevit etiam, cleri omnia protegenda; et quas in curiis secularibus ecclesiae haberent lites, ante alias quorumcunque terminandas. Pulchra utique sunt polliciti Willielmus Rufus, Henricus I. et rex Stephanus. Sub Normannicis autem istis regibus nutari coepit prisca illa immunitas ecclesiae. Vellicantur enim monasteria, carcere coercentur praefules, venundantur episcopatus et ecclesiae dignitates, ad censum dimittuntur ejus praedia, et tributis supponuntur militaribus. Prae caeteris autem corripuit maxime rex Henricus II. ipsos nervos ecclesiasticae immunitatis, cum in concilio Clarendoniae avitas recognoscens consuetudines, multa redigeret statueretque contra canones pontificios. Inter alia, quod archiepiscopi, episcopi [et abbates] barones jam facti e tenuris possessionum ecclesiarum suarum, baronum obeant consuetudines erga regem et justitiarios ejus. Et, quod "Clerici accusati de quacunque re, summoniti a justitiario regis, veniant in curiam ipsis responsuri ibidem de hoc; unde videbitur curiae regis, quod ibi sit respondendum, etc. et si clericus convictus aut confessus fuerit, non debet eum de caetero ecclesia tueri." Juste licet, haud felici tamen auspicio; ex illa enim die usque ad nostra tempora in sequentibus plerisque parliamentis coercetur aliquialiter res ecclesiae.

Inter tot autem amplitudinis suae diminutiones ea semper habitus est clerus reverentia, ut quamvis ex eo alii atque alii essent superbi, avari, incontinentes, luxuriosi, et homines nequissimi; alii tamen cum propter summam in rebus gerendis prudentiam et solertiam, tum propter eximiam in regem et rempubl. fidelitatem et amorem (conquiniscente jam Maria, et florente Martha) ad maxima regni munia obeunda semper pene evocarentur. Septies, reor, vel supra, dum in transmarinis versaretur rex, aut sub ephebia, e clero constituti sunt custodes regni, qui proreges alias nuncupantur. Duodecies sunt summi Angliae justitarii, tum, cum ea dignitas tam in honore, quam in amplitudine alias omnes totius regni antecelluit. Primatum enim obtinebat in consiliis regis⁵; et complectebatur sub priscis illis seculis officia capitalis justitarii tribunalis regii, capitalis justitarii civilium placitorum, capitalis baronis scaccarii, magistri wardorum, et partes aliquot summi cancellarii et thesaurarii Angliae. Claruissent etiam sine dubio alii plures ista dignitate, si Innocentius P. III. non imposuisset R. Richardo I. sub periculo interdictionis, ut [Hubertum] "archiepiscopum ab officio justitarii removeret," etc. Sed divulgum postea hoc officium in partes varias, sub Edwardo rege I. exhalavit. Inter cancellarios Angliae, et custodes magni sigilli clerus floruit, plus minus, centum sexaginta vicibus. Inter summos thesaurarios circiter octoginta. Custodes privati sigilli plerique olim omnes erant ecclesiastici. Magistri rotulorum etiam usque ad annum xxvi. Henrici VIII. justitarii itinerantes, civilium placitorum, et ad assisas tenendas, numerosa multitudine e clero habebantur usque ad tempora Edwardi III. vel subinde.

¹ Ll. Edwardi. Confess. ca. ix.

² Hist. Eccl. lib. III. ca. 27. de Lindisfarnerf.

³ Ll. Aethelstan. ca. ult. de

Wergildis. Domefd. Berkshire.

⁴ Concil. Clarend.

⁵ Per se vel ministros, Marlebridg. ca. 10. vel 11. Ll. Edw.

Confess. ca. 3.

⁶ Prooem. Ll. suarum.

⁷ V. Niger. lib. scaccar. Magn. Chart. Matt. Paris. in an. MCCXXXII. et

MCCXXXIV. V. Mat. Paris. in an. MCXCVIII.

Memorable est, quod hic se ingerit, de rege Edwardo III. proditum. Ascivisse eum sibi e clero nobiliores, plerosque officiales in administrationem regni, aulae, et familiae suae^a; e quibus hi deprebenduntur simul florentes in anno ejus 39. viz. "Summus cancellarius et thesaurarius, custos privati sigilli, magister rotulorum, decem magistri cancellariae, capitalis camerarius scaccarii, receptor et custos thesauri et jocalium regis, cancellarius scaccarii, clericus privati sigilli, thesaurarius hospitii regis, magister gardrobiae, camerarius alter scaccarii, etc. thesaurarius Aquitaniae et a partibus Calesiae, thesaurarius Hiberniae." Hos omnes uno eodemque tempore in sua solum dioecesi commorantes, descripsit Londinensis episcopus; cum hoc idem fieri per omnes Angliae episcopatus, praecepisse videretur papa Urbanus V. Animadvertendum igitur est, quanta fuerat in officiis totius regni et reipublicae clericorum multitudo, si per singulas dioeceses integra haberetur illa descriptio; majorem tamen extitisse prius aliquando, innuit Malmesburius^c, cum "Nullus," ait, "erat clericus, nisi causidicus." Sed provenisse videtur ex Urbani hoc edicto, ut deinceps parcius susciperentur clerici ad officia secularia.

Hic ecclesiae splendor vetus, haec et cleri prisca reverentia^d (absit dictis invidia, dum nihil memoro, non historicum) per aetates omnes; et floruit una legum ecclesiasticarum auctoritas, prout per seculorum varietates edi contigerint in vestra Britannia; pluries siquidem purgatae a Romano fermento, et solutae demum a jugo papali. Cui negotio perficiendo statuebatur primum sub rege^e Henrico VIII. postea sub^f Edwardo VI. denuo sub regina^g Elizabetha XXXII. expurgatores nominandos fore; etsi haecenus obdormierit munus illud, tepideve nimis fuerit executum. Potestatis vestrae est et prudentiae regiae, quae supra morem majorum vestrorum sinceram pietatem, castam fidem, purgatam religionem, et ecclesiam omni zelo et veneratione colit, quid expediat definire, et coronidem denique imponere. Aurem mihi vellit Cynthius. Non defuerunt autem, qui residuos vellicare palmites aggressi sunt, et integram ecclesiae jurisdictionem sic impetere; ut excussa cruce, ecclesiae symbolo, e corona regia, emblema seculi solum radiaret lilium. Cobi- buit hoc molimen princeps optima regina Elizabetha anno regni sui XXXIX. et alias; oppressitque pater vester prudentissimus Jacobus rex; qui neutram e sororibus columnis, arcum et coronam regni sui sustinentibus, hanc ecclesiasticam, illam secularem violari passus est aut temerari. Florentes autem ambas pariter, pariter ambas semet exerentes, regio vestro porrexit, uti acceperat, patrocinio; sub quo laeta acquiescens Anglicana ecclesia, posthabitis tam externorum, quam indigenarum calumniis, hodie ovat; et ovet, precor, inperpetuum, pia, humilis, et sincera.

Me vero quod attinet, rex augustissime, omni cum ardore supplicandum est, ut extenso regiae mansuetudinis vestrae sceptro aureo, ausis his nostris ignoscatis, senis animum, ad majestatis radios tremescentem, erigatis; oblationemque istam, indignam aliter et infelicem, serena fronte suscipere, tueri, protegere dignemini. Sic cum Deo bono dissipatum me interea et confusum recolligam, et quae supersunt, caetera pro tenuitate mea, et exiguo vitae residuo curabo adjungenda. Deus opt. max. regiam vestram majestatem, sobolemque serenissimam ecclesiae et Britannis inperpetuum sospitet beatissime.

Serenissimae vestrae majestatis

Subditus omni obsequio devotissimus,

HENRICUS SPELMAN.

^a Stow in an. MCCCXLV. singulos nominat. Refero non laudo. ^e In Will. II. ^f Sed "Omnis gloria filiae regis est ab intus." Psal. xlv. al. xlv.

^g An. 25. ca. xix. 27. ca. xv. et 35. ca. xvi.

^h An. 3. Edw. VI. ca. xi.

ⁱ An. 1 Eliz. ca. i.

Praefatio lectori.

FACTURUS NE essem operae pretium, si a primordio christianae religionis concilia et decreta in re ecclesiarum Britannicarum ad nostra usque tempora concinnarem, diu mecum et sollicitus haesitavi. Adeo enim varias esse deprehendi hominum sententias, qua ex ipsorum praevaricatione, qua e rerum difficultate, ut cum saepissime discrepetur in rebus secularibus, rarius etiam conveniatur de ecclesiasticis, et quod pars una probat atque amplectitur, rejiciat alia et explodat. Verendum igitur erat, ne et nostri hic esset laboris exitus. Quidam enim ita religiose faevium, ut, praeter sacram paginam nihil, sed nec eam quidem, nisi canonicam, patiantur. Mitiores alii, patres, atque ecclesiae historias, ipsos etiam canones per intervalla et membratim ferunt; sed quod alias forte grave oleant, et ecclesiam nostram, feliciter reformatam, interdum pulsant; obrui potius malunt universam struem, et flammis dari, quam ut lucem videant, aut videantur. Sanioris denique consilii viri, quorum et longe maximus, Deo gratias, est numerus, Dei ipsius exemplo inhaerentes, numerosis Sodomitarum catervis parciturum se potius profitentis, quam vel decem justos inter impios perditurum, nolunt triticum, vel inter zizania palam eradicari, vel cum zizaniis clam in latibulis computrescere. Ut simul producantur igitur in lucem expetunt, utque doctorum judicio credantur, qui satis norunt triticum segregare, et in horreum ecclesiae

ecclesiae congerere, zizania vero aut flammis dare, aut porcis, id est, haereticis et schismaticis, devoranda relinquere. Censent enim multum interesse ecclesiae, distincte noscere zizaniorum genera; deprehendere (quantum datur) qua in nocte inimicus ea sevit; quorum opera usus est, quando sunt enata; vigeantne etiamnum hodie inter fruges; an ab agricolis et messoribus dominicis pridem sint contrita; quibus denique artibus armisve suppressa a majoribus nostris, deletave fuerint; vel hoc etiam nosse apprime fore existimant in rem SS. ecclesiae: ut si forte repullulent denuo et renascantur, posteris in promptu sit ad eadem remedia se convertere.

Hac opinionum varietate coercitus, convenio quos pietate atque doctrina noveram in ecclesia nostra potiores theologos: expono quid mecum meditabar, ipse, quid illi censeant suadeantque sciscitor. Hi actutum omnes, omnia bona dicere, probare institutum, coeptum laudare opus, editionem accelerare. Claros multos episcopos intelligo me dicere: reverendissimos inprimis tres metropolitae (liceat eos omni cum honore et humilitate nominasse) DD. Georgium et Guilielmum Cantuarienses, atque D. Jacobum Armachanum. Inter et haec, magnopere dein erexit animum, quod a reverendo patre D. Matthaeo, Norwicensi tunc praesule (modo Eliensi) acceperam: egregium illud ecclesiae lumen, regni decus Lancelotum Andrewes, ὁ μακαρίτης, Wintoniensem nuper episcopum, graviter aliquando conquestum fuisse, quod in Britanniae nostrae conciliorum, canonumque ad invidiam feracissimae synodis pervulgandis, nemo oleum impendisset, nemo operam praebuisset, cum apud Germanos, Gallos, Italos, Hispanos, aliosque externos, multi fuissent in eo genere, optime a suis meriti. Serio igitur circa quindecennium jam elapsam cum ipso egisse, ut accitis sibi ad multi temporis et laboris opus citius expediendum *ῥωεργοις* aliquot, provinciam hanc in ecclesiae Dei beneficium, gentisque nostrae honorem fusciperet, auspice Christo, adiutore ipso praesule Wintoniensi. Id quod absque longa, ut aiebat, mora, *ῥω Θεῷ*, aggressi fuissent, nisi interea forte inaudierant me hunc ipsum lapidem aliquandiu agitasse. Quod cum praesuli retulissent, laetatus ille ad incepti operis initium: cum bono Deo inquit, propriamque manum retraxit a tabula. Infelicem interea me, qui tantum et tam multiplex orbi et ecclesiae beneficium ex improvise anteverterim. Praeter fidem enim et solertiam ipse nihil adfero. Solertiam certe in rimando perplurimas latebras et recessus, ad hanc conciliorum supellectilem eruendam. Fidem in edendo, quae collegimus, caste et fideliter, juxta exemplaria codicesque manuscriptos. Pauperulae sunt fortassis notae nostrae, sed quas aliquando non dedignabitur spero lector aliquis. Etsi in Saxonice transferendis claudicaverim, facile ei erit, qui rectius norit, verbum male sanum vel et locum restituere: ego supra Martem meum non sapio. Sin me causabitur quispiam, multas praeteriisse synodos et concilia; respondebit verbum illud vetus, Bernardus non vidit omnia: certe nec qui Bernardo oculatior est; sol ipse, totus oculus. Fateor me incautum praeteriisse aliquot, quae me penes habui: ab aliis etiam, praesertim a recolendo mihi semper D. supradicto Armachano, non pauca recepisse, cum loca, quibus inferenda essent, transcurrisset praelum. Sed hic una misit in magnam partem primi istius nostri tomi splendidae multas observationes, facturus porro forsitan et in reliquam, plus quam nostrae fuerit mediocritatis expectare; debitae autem gratitudinis est, hoc quod praestiti agnoscere. De appendice igitur ad hunc tommum attexenda cogito, in qua prodibunt (dante Deo) haec omnia; nec dedignabor certe inferere, si quis alius quicquam pari modo sit praestiturus.

Quoad vero ipsam hanc nostram collectionem, cum per tres insignes epochas sponte se distribuerit; nos oblatam distributionem amplectentes, singulis epochis singulos tomos seu volumina, auspicante Domino, destinavimus.

Primo ea, quae ab initio christianae religionis, usque ad Anglosaxonicae conditionis periodum (id est, an. Dom. MLXVI.) habita sunt, hic jam compegimus.

Secundo ea, quae post subactos a Normannis Anglosaxones, usque ad exutum papam; resignationem pontificiae jurisdictionis regi Henrico VIII. factam (qua adempta est episcopis cogensdorum postea conciliorum potestas usitata) et monasteriorum catalysim, congeessimus.

Tertio ea, quae deinceps in ecclesiis Britanniarum reformatis, usque ad nostra tempora acciderunt, concinnavimus.

Opus, spero, doctis plerumque gratum atque utile: varie tamen, e varia singulorum tommorum ratione. Primus forte magis speciatim arridebit rei antiquae studiosis: secundus juris nostri ecclesiastici professoribus: tertius his, qui reformatae apud nos ecclesiae modum et negotium nosse expetunt. Quo autem auspicio in lucem prodibunt, me jam sene propemodum exhausto, secundus et tertius, haud ausim polliceri; nisi illos vir dilectus, et bono natus publico, Jeremias Stephanus, cujus opera primus hic tommus, me adhuc tantum non invito, in lucem prodiit, ope et consilio Johannis Spelmanni filii mei, quem studiorum meorum (inutilium licet) haeredem scribo, typis curaverit mandandos. Quum vero in primo hoc tomo peragrandi mihi erant secula illa valde caliginosa; cogique contigit ex argumenti obscuritate duces saepe caecos, auctores malefidos sequi; non possum non vereri, quin in erroris foveam ipse saepe inciderim, lectoremque una mecum aliquando sim invito attracturus. Quod si acciderit, nemo mihi id imponat vitio, sed ad eos potius erigendos sanandosque opem quisque ferat, ut ingens illa veterum manuscriptorum codicum vis, quae per Angliam adhuc sparsim latet, et in ipsis, proh dolor! academiis, feliciori disquisitione excutiantur latebris, et sub dio proferantur. Haberi enim in illis censeo, si non venas

integras desiderabilis thesauri, ramentorum tamen auri eam copiam, ut orbem literarum sine dubio ditiores reddant, et novum forte lucis adferant hemisphaerium.

Cupio igitur, atque ex animo hortor, ut in utraque academia unus saltem aliquis huic dedecetur studio; praesertim Cantabrigiae, ubi multo major, si recte assequor, nostratium reperitur manuscriptorum copia: praeripiet tamen si Oxonium palmam, non gravabor. Rem enim inprimis lugubrem duco, gentisque nostrae in probrum non mediocriter extare hodie apud nos in bibliothecis academicis, aliisque veteris Saxonici idiomatis manuscriptos codices, quot in orbe alias haud opinor reperiri; situ tamen et squalore corrumpi eos, dum e doctorum millibus ne vel myrta unus, vel linguae illius quispiam sciolus habeatur, qui vel unum eorumdem aliquem luce donet, aut enucleet. Annon mira haec nostratium curiositas, foris esse familiares, domi hospites? callere linguas exteras, nescire patrias? Saxonice vero quod attinet; eo olim in honore fuit forte quod a Graeco plurima retulisset, ut doctissimo ipsi Bedae Anglosaxoni inter laudes detur, fuisse doctum in Saxonica lingua. Tanti etiam apud majores nostros post subactos Anglosaxones, ut ad retinendam eam atque propagandam, praelectiones quasdam instituerint inter coenobitas Tavistokiae in agro Devonensi, quae ad avorum nostrorum memoriam floruisse dicuntur, et cum ipsis monasteriis videntur expirasse. Elanguit ex ea die, et paulatim ita exhalavit animam nobile illud majorum nostrorum et pervetustum idioma, ut in universo (quod sciam) orbe ne unus hodie reperiat, qui hoc scite perfecte calleat; pauci quidem, qui vel exoletas literas usquequaque noverint. Ne Batavus, ne Frisius, ne Germanus πολύγλωσσος, ne vel Saxo hodiernus, frater licet ipse Anglosaxonum nostrorum, atque olim ὁμογενής periodum. Indignum refero et indignans fero; gestitque animus, impar viribus, non grande aliquid audere:

Ἀεὶ τῷ μικροῖς μικρὰ διδάσκει Θεός.

Sed pro tenuitate nostra, mortuum velut et sepultum suscitare: Deumque pronus veneror, ut e tenui quocunque coepto, feliciter crescat in augmentum, fiatque demum, non ecclesiae solum, sed toti rei literariae fructuosum.

Summa approbationis.

RECENSUR haec concilia, decreta, leges, constitutiones in re ecclesiarum orbis Britannici; magno studio, nec minori judicio a doctissimo pariter ac integerrimo viro D. Hen. Spelman. eq. aur. collecta, et in ordinem digesta, una cum accuratis ejusdem clarissimi auctoris annotationibus in loca difficiliora; in quibus omnibus nihil reperio, quominus summa cum utilitate imprimi possint.

Reverendissimo in Christo patri ac domino, domino arch. Cant. sacellanus domesticus.

GUIL. BRAY.

Ex aedibus Lambethanis sexto
Calend. Nov. MDCXXXVII.

Attestatio cl. V. Edmundi Scott, eq. aur. reverendissimi in Christo patris domini Guilielmi, nunc archiepiscopi Cant. senescalli domestici.

MEMINI me adfuisse, quum cl. V. D. Henricus Spelman. eques auratus, * duos libros manuscriptos D. Georgio Abbot, nuper Cantuariensi archiepiscopo, volvendos obtulerit, quorum titulus fuit Decreta, et concilia ecclesiarum orbis Britannici: multas horas in eis legendis impendebat reverendissimus pater, et frequenter me audiente, magnis encomiis honestabat. Praesensque fui, quum serio D. Henr. Spelmanum hortaretur, ut limatos ab ipso et ultimam manum passos in lucem exire fineret (nonnihil enim in eis impolitum adhuc erat et imperfectum) et seposita mora, quanta poterat festinatione, praelo daret. Totum enim opus magni aestimandum duxit, quodque publico et posteritati donari, jure suo videbatur meruisse.

Ita testor EDM. SCOTT.

13. Feb. MDCXXXIII.

* Tom. I, et II.

*Anglosaxonum heptarchia et successiones in Britannia, quorum notitia ad primum
tomum conducit.*

SAXONES primo a Vortigerno rege et Britannis acciti ad propulsandas barbarorum incursiones, in Britanniam veniunt, ducibus Hengisto et Horfa fratribus, circa an. Dom. ccccxlx. Postea vero, plures e transmarinis regionibus advolarunt, pulsique paulatim Britannis, illorum sedes occuparunt, patriamque, praeter Walliam, in septem regna distribuerunt, heptarchiamque constituerunt: in qua tamen qui plurimum poterat, rex gentis Anglorum, ut est apud Bedam, lib. II. c. v. dicebatur, ut monarchia in ipsa heptarchia semper fuisse videatur.

Quas regiones, five comitatus haec regna complexa fuerint, tabella potius quam verborum congerie, ut simul et semel intueatur lector, proponere libet.

1. Cantii regnum } Cantium ab Hengisto incho-
continebat } atum circa A. D. cccclvii.

2. Suffexiae five } Suthsexiam. } Hic principatus
veaustraliū } Saxonum } haud diu duravit;
regnum con- } regnum con- } paucique in eo, et
tinebat } tinebat } nullius fere me-
Suthreiam. } moriae reguli.

3. Eastangliae, five } Norfolciam.
orientaliū Ang- } Suthfolciam.
lorum regnum } Cantabrigiam, cum
continebat } Insula Ely.

4. Westsexiae, five } Cornwalliam.
occiduorū Sax- } Devoniam.
onum regnum } Dorsetiam.
continebat } Somersetiam.
Wiltoniam.
Southamptoniam.
Bercheriam.

5. Northumbriae } Lancastriam.
regnum contine- } Eboracum.
bat } Dunelmiam.
Cumbriam.
Westmariam.
Northumbriam, et regio-
nes Scotiae, usque ad E-
denburgi fretum.

6. Estsexiae, five } Essexiam.
orientaliū Sax- } Middlesexiam.
onum regnum } Hertfordiae partem.
continebat }

7. Merciae regnum } Glocestriam.
continebat } Herefordiam.
Wigorniam.
Warwicum.
Leicestriam.
Rutlandiam.
Northamptoniam.
Lincolniā.
Huntingdoniam.
Bedfordiam.
Buckinghamiam.
Oxenfordiam.
Staffordiam.
Salopiam.
Nottinghamiam.
Cestriam.
Hertfordiae partem alteram.

*Regum Saxonorum successiones in quolibet re-
gno heptarchiae.*

Cantuariorum reges

Pagani { 1. Hengistus. 31
2. Esk. 24
3. Otha. 20
4. Immericus. 29

Christiani { 5. Ethelbertus. 56
6. Eadbaldus. 24
7. Ercombertus. 24
8. Egbertus. 9
9. Lotharius. 12
10. Edricus.

Reges dubii, vel externi.

Christiani

Christiani	11. Withredus.	33
	12. Edbertus.	23
	13. Aedilbertus.	11
	14. Alricus.	34
	15. Aedilbertus.	3
	16. Cuthredus.	8
	17. Baldredus.	18

Regnum { Coepit an. Chr. CCCCLVII.
Defiit an. DCCCXXIII.

Australium Saxonum reges.

Pagani	1. Aella.	32
	2. Ciffa (filius Aellae)	75
Progeniesque eorum post eos, quorum tamen nomina, praeter unum aut alterum, fere ignorantur; ipsa etiam regio plerumque in Cantuariorum, aut occidentalium Saxonum potestate fuit.		

Christiani	3. Ediltwach, al. Ethewolfius.	25
	4. Berthum.	
	5. Authum.	

Regnum { Coepit an ccccxc.
Defiit circa an. dc.

Orientalium Anglorum reges.

Pagani	1. Uffa.	7
	2. Tityllus.	10
	3. Redwaldus.	44
	4. Eorpwaldus.	12

Christiani	5. Sigebertus.	
	6. Egricus.	
	7. Anna	13
	8. Ethelbertus.	
	9. Ethelwoldus.	9
	10. Aldulfus.	19
	11. Aelfwaldus.	7
	12. Beorna.	24
	13. Ethelredus.	52
	14. Ethelbertus.	5

Regnum { Coepit DLXXV.
Defiit DCCXCIII.

Occiso Ethelberto ab Offa, regnum orientalium Anglorum unitum est regno Merciorum. S. Edmundus tamen postea regnavit, qui martyrio affectus est an. DCCCLXX.

Occiduorum Saxonum reges.

Pagani.	1. Cerdicius.	16
	2. Kenricus.	26
	3. Ceaulinus.	31
	4. Celricus.	6
	5. Ceolwulfus.	14

Christiani	6. Cinegilfus, al. Kingilfus	31
	Quincelmus consors regni cum patre.	
	7. Kenewalchius.	31
	Sexburga regina.	1
	8. Efcwinus.	2
	9. Kentwinus.	9
	10. Cedwalla.	2
	11. Ina.	38
	12. Aethelhardus.	14
	13. Cuthredus.	14
	14. Sigebertus.	1
	15. Kinewulfus.	29
	16. Brithricus.	16
	17. Egbertus.	37

Regnum { Coepit DXIX.
Defiit MLXVI.

Nordanhymbrorum reges.

Pagani	1. Ida.	12
	2. Aella, cum filiis.	30
	3. Edericus.	4
	4. Ethelfridus ferus.	24

Christiani	5. Edwinus.	17
	6. Oswaldus.	9
	7. Oswius.	28
	8. Egfridus.	15
	9. Alfridus.	19
	10. Ofredus.	11
	11. Kenredus.	2
	12. Ofricus.	11
	13. Ceolwulfus.	8
	14. Egbertus, al. Eadbertus	20
	15. Ofulfus.	1
	16. Ethelwaldus, al. Mollo.	6
	17. Aluredus.	9
	18. Ethelredus, al. Ethelbertus.	4
	19. Alfwoldus.	11
	20. Ofredus.	
Ethelredus iterum.		

Regnum { Coepit an. Chr. DXLVII.
Defiit circa an. DCCXCII.

Aethelredo interfecto, finem accepit regnum Northanhymbrorum, quod post interregnum 33. annorum occupavit Egbertus, rex Westsaxoniae, anno Chr. DCCCXXVII. Nominantur tamen etiam postea quidam reguli Northumbro- rum Danicis temporibus.

Orientalium Saxonum reges.

Pagani	{	1. Erkenwinus.	
		2. Sledda.	
	{	3. Sebertus.	
Christiani	{	4. { Sexredus. } Sewardus. } fratres reg. 3.	
		Sigebertus. }	
		5. Sigebertus parvus.	
	{	6. Sigebertus bonus.	
		7. Swithelmus.	
		8. Sigherus et Sebba.	
		9. Sigheardus et Senfredus.	
		10. Offa.	
		11. Selredus.	
		12. Swithredus rex ultimus.	

Regnum	{	Coepit DXXVII.
		Defiit DCCXLVII.

Numeri ideo non adjiciuntur, quia de annis horum regum, itemque orientalium Anglorum nihil admodum certi memoriae proditum est.

Merciorum reges.

Pagani	{	Cridda.	} Reguli.
		Wibba.	
		Cheorl.	
		1. Penda.	
Christiani	{	2. Peada et Oswi duces.	3
		3. Wulfherus.	16
		4. Aethelredus, al. Aediredus.	30
		5. Kenredus.	4
		6. Ceolredus.	8
		7. Ethelbaldus.	41
		8. Beornredus.	1

9. Offa.	38
10. Egferus.	1
11. Kenulfus.	2
12. { Kenelmus. } Ceolulfus. }	1
13. Beornulfus.	3
14. Ludecanus.	2
15. Withlafus.	13
16. Bertulfus.	13
17. Burhredus.	22
18. Ceolwulfus, sub quo regnum hoc Merciorum omnino emarcuit.	

Regnum	{	Coepit { Criddae DLXXXII. Pendae DCXXV.
		Defiit DCCCLXXIV.

*Anglorum reges postquam in monarchiam septem regna coaluerunt *.*

An.Christi	{	800. Egbertus.	37
		837. Aethelwulphus.	20
		857. Aethelbaldus.	5
		862. Aethelbertus.	5
		867. Aethelredus.	5
		872. Alfredus, al. Aluredus.	29
		901. Edwardus sen.	23
		924. Aethelstanus.	16
		940. Edmundus.	6
		946. Edredus.	9
		955. Edwinus.	4
		959. Edgarus.	16
		975. Edwardus martyr.	4
		979. Ethelredus.	37
		1016. Edmundus Ferreum Latus.	1
		1017. Canutus.	19
		1036. Haroldus.	4
		1040. Harde-Canutus.	2
		1042. Edwardus confessor.	24
		1066. Haroldus.	1

* Licet collector tabulae seu elenchi regum Anglosaxonum septem regna in monarchiam coaluisse dixerit sub Egberto, occiduorum Saxonum rege, quia is ab aliis primus monarcha perhibetur; certum tamen est regna Merciorum et Anglorum orientalium non extincta fuisse penitus per triginta vel supra annos post Egberti exitum; et Aelfredum Magnum, ejus e filio nepotem, primum fuisse, qui absolutam statuit monarchiam. Vide concilium Wintonienſe anno DCCCLV.

Apparatus de exordio christianae religionis in Britannii, et primum, de primis fidei satoribus. Ex Spelman. vol. I. p. 1. seqq.

BRITANNIAM nostram et fidem recepisse mox a passione Christi, et ab ipsis quidem discipulis ejus, multa perhibent testimonia. Gildas Brito, quem a loco recentiores Badonicum, a prudentia veteres sapientem nuncupant natus ann. Dom. CCCXCIII. (hoc est, in anno quadragesimo quarto post adventum Saxonum in Britanniam, ut ipse refert) auctor sane gravis et eximiae fidei, crebra licet ambage obvolutus, suo sic cothurno loquitur: "Interea glaciale frigore rigenti insulae [Britanniae] et velut longiore terrarum secessu soli visibili non proximae, verus ille Sol, non de firmamento

solum temporali, sed de summa etiam caelorum arce, tempora cuncta excedente, universo orbi praefulgidum sui coruscum ostendens, tempore (ut scimus) summo Tiberii Caesaris (quo absque ullo impedimento ejus propagabatur religio, comminata, senatu nolente, a principe morte dilatoribus militum ejusdem) radios suos primum indulget, id est, sua praecepta Christus." Haec ille. Quorum sensus atque summa est: evangelii lumen in Britannia radiasse tempore summo, id est, sub anno novissimo Tiberii Caesaris, qui obiit anno post Christi nativitatem XXXVIII. et post resurrectionem v.

* In epist. de excid. Brit. sect. 26. Ibid. sect. 6.

II. Praeisse fertur in hanc sententiam Gildas alter Albanicus, qui in ^b lib. De victoria Aurelii Ambrosii, lucide etiam asserit, Britanniam suscepisse evangelium sub tempore Tiberii imper. addit et is insuper, missum fuisse post dispersionem discipulorum e Gallia in Britanniam a Philippo apostolo Iosephum Arimathaeum, circa an. Domini nostri 63. ipsumque toto suo aevo hic moratum, et cum sociis suis fundamenta posuisse christianae religionis (fidem Christi fiducialiter praedicabant, inquit Malmesburius) quam alii praedicatores et doctores postea confirmabant et propagabant. Videtur hic (quod solet) vel erratum esse in anno Christi designando (nimirum LXIII. pro xxxvi. Baronius enim, Vaticano quodam ductus MS. Iosephi hunc adventum posuit sub anno Christi xxxv.) vel duplicem innui verbi seminationem; primam sub Tiberio imp. alteram sub Nerone, si non Claudio. Lubrica quippe fuit, et generaliter sub his seculis valde incerta annorum Christi ad res tunc gestas coaptatio; cum per quingentos plus minus deinceps annos, nobilem istum a nativitate Christi computum nondum invenisset abbas Dionysius: quod semel hic moneo, ut saepius caveatur in sequentibus.

Certum est, Britanniam non solum sub primis seculis in unius Dei consensisse religione, ut ^c Origenis liquet testimonio: sed et a primis ipsis seminatoribus recepisse fidem, ^d Theodoro hoc perspicue referente. Οἱ ὃ ἡμέτεροι ἄλλοις, καὶ οἱ τελῶναι, καὶ ὁ Κυροτόμος ὅσπασιν ἀνθρώποις τὰς βασιλικὰς προσενηνόχασιν νόμους, καὶ ἐ μόνον Ῥωμαίους καὶ τὰς ὑπὸ τῆς τῆς τελῶνας, ἀλλὰ καὶ τὰ Σκυθικά, καὶ τὰ Σαυροματικά ἔθνη, καὶ Ἰνδοὺς, καὶ Αἰθιοπας, καὶ Πέρσας, καὶ Σήρας, καὶ Ὑρκανοὺς, καὶ Βακτριανούς, καὶ Βρετάνους, καὶ Κίμβρους, καὶ Γερμανούς, καὶ ἀπαξαπλῶς πᾶν ἔθνος καὶ ἕκαστον ἀνθρώπων δεχάσθαι τὰς νόμους ἀνέπεισαν. i. Nostri vero illi piscatores, et telonarii, sutorque ille coriarius (sic apostolos Petrum, Paulum, etc. per ludibrium appellabant gentes) cunctis nationibus leges contulerunt evangelicas; nec Romanos solum, et qui sub iis degunt, sed et Scythas et Sauromatarum gentes, Indosque et Aethiopes, Persas et Seras, et Hyrcanos, et Bactrianos, et Britannos, et Cimbro, et Germanos, et (ut verbo dicam) omnes nationes hominumque genus suscipere crucifixi leges adduxerunt." Haec ille. Sed hic nihil de Britannia, quod non pariter dicit de omnibus mundi regionibus: jam tum scil. perimpleri Davidis id propheticum: "In omnem terram exivit sonus eorum, et in finem orbis terrae verba eorum."

III. Nos particularem magis Britanniae conversionem perscrutamur, et Sophronium Hierosolymorum patriarcham cum Theodoro relegantes, ^e Nicephorum audiemus de discipulis Christi memorantem. "Aegyptum, inquit, et Lybiam alius, ^f alius item extremas oceani

regiones, et insulas Britannicas sortitus est." Refert alibi quis ille alius fuit: Simon nempe Cananaeus (quem et Judam nominatum saepe testatur ^g Hieronymus) "et propter flagrantem in magistrum suum ardorem, Zelotes cognominatus est: is," inquit Nicephorus, "caelitus adveniente Sancto Spiritu, Aegyptum, Cyrenem, et Africam, deinde Mauritaniam et Lybiam omnem, evangelium depraedicans percurrit, eandemque doctrinam ad occidentalem oceanum, insulasque Britannicas perfert." Sic et Dorotheus, qui addit praeterea, "occisum eum et sepultum ibidem." Amplecti videntur et Graeci horum sententiam in suo Menologio: "Sed haec absque aliquo antiquorum testimonio," inquit ^h Baronius. Numquid inter recentes rejicit Dorotheum, qui sub Dioclesiano et Constantino magno, Tyri floruit episcopus, sub Juliano coronatus est martyrio? an sancto huic viro fidei expetit e vetustioribus adminiculum? quod passum videtur dicere in Britannia, quem alii longius apud Persas? Ego in examine non morabor.

De S. Jacobo.

IV. Transeo quae de adventu S. Jacobi in Hiberniam et Britannicas insulas nonnulli suggerunt: cum vetustiorum nemo (quod sciam) hoc affirmaverit: et ab inferioribus non videatur aliunde proditum, quam Hibernos et Hiberniam male substituentibus pro Hiberis et Hiberia (i. Hispania) quibus et ubi Jacobus praedicasse multi asserunt, priusquam Hierosolymis redierat, cum ab Herode Agrippa interfectus esset. Hiberniam tamen (quam et tunc Scotiam appellabant) crepusculum evangelici luminis obtinuisse sub primis his seculis, evincunt aliquot testimonia; splendentes licet undequaque radios, neque alias, neque prius quam a S. Patricio afflicta fuerit, ut inferius suo loco demonstrabitur.

De adventu D. Pauli apostoli in Britanniam.

V. Afferunt autem (et non incondite) divum Paulum (quem apud Theodoretum ⁱ Κυροτόμον vocant) profectionem (quam in Hispanias est pollicitus) exequentem, Britanniam etiam salutasse. ^k Theodoretus hoc implicite. "Quando (inquit) appellatione usus, Romam a Festo missus est, defensione audita, absolutus, et in Hispaniam profectus est, et ad alias gentes excurrens, eis doctrinae lucem attulit." Alibi paulo expressius: ^l "In Hispanias pervenit, et insulis, quae in mari jacent, utilitatem attulit." At nunc, quibus insulis? Respondet poeta vetus christianus Venantius Honorius.

Transiit oceanum, vel qua facit insula portum,
Quasque Britannus habet terras, quasque ultima Thule.

^b Ego lib. hunc non vidi, sed e Foxio citatum refero. Act. et Mon. p. 107. a. Quare si forte non idem sit, qui in Vaticana biblioth. MS. Historia Anglorum a Baronio dicitur hic infra num. 8. ^c In Ezech. Hom. 4. ^d De curand. Graecorum affectib. Ser. 9. ^e Niceph. lib. II. cap. xl. ^f V. Baron. an. 44. num. 39. ^g Ann. Chr. 44. num. 38. ^h Com. in 2. Tim. iv. ⁱ In Psal. cxvi. Lib. III. de vita Martini.

Imo respondet et ipse Theodoretus (ut mihi suggerunt ^k Magdeburgenses) expresse dicens: "Paulum e priori captivitate Roma dimissum, Britannis et aliis in occidente evangelium praedicasse." Addunt illi praeterea: "Idem fere tradit Sophronius Hierosolymitanus patriarcha." Locum haud nominant, sed vide librum ejus De peregrinatione Petri et Pauli: et sermonem De natali apostolorum. Auctor quidam alius ipsum adventus sui annum indicat: quartum scil. Neronis, id est, Christi LIX. quem ^l Godwinus praeful arguens, accidisse mavult in anno Christi LXI. id est, Neronis sexto. Convenit igitur ab utroque Paulum venisse Britanniam circa quinque vel septem annos ante annum duodecimum Neronis (quo, relicta Britannia, Petrus dicitur (ut mox infra) Romam rediisse) fidemque igitur Paulum praedicasse in Britannia aliquot annos ante Petrum, ni hunc moratum dixerint in Britannis per quinquennium totum vel septennium: sed Paulum insuper referunt Britannis fidem annunciaisse in ipsa Roma: et nominatim Claudia Rufinae nobilissimae Britannae inter captivos hinc abductae sub Neronis imperio, Martialisque carmine celebratae, sed felicius multo in secunda epistola Pauli ad Timotheum, si eadem plane sit Claudia, quod multi asserunt, nec inique convenit synchronismus.

De adventu S. Petri in Britanniam.

VI. Sunt et qui D. Petrum vehementius contendunt, sacro irrigavisse flumine nostram Britanniam, auctoritate nixi ^m Metaphrastis Graeci auctoris, Innocentii Romani pontificis, et Gildae Britonis mystiloqui. Metaphrastis fidem in multis quidem aliis arguit Baronius; in hoc tamen habere videtur Metaphrastes Gildam nostrum quodammodo, quem testem laudet, ut mox perspexeris: audi Metaphrastem, qui ait, Petrum venisse in Britanniam, "et longo tempore moratum fuisse, multasque gentes non nominatas attraxisse ad fidem," monitumque angelica visione, "oportere eum ire Romam: in qua, cum mortem per crucem sustinuisset, acciperet mercedem justitiae:" *Ἐπιμένοντας τε* (inquit Graecus codex) *ἐν Βρετανία ἡμέρας τινάς, καὶ πολλὰς τῶ λόγῳ Φαρίσας καὶ Χαιρίθους, ἐκκλησίας τε ὑποσησάμενους, ἑπισκόπους τε, καὶ πρεσβυτέρους, καὶ ἀρχόντας χειροτονήσας, δωδεκάτῳ ἔτει τῆς Καίσαρος Νέρωνος αὐθις εἰς Ῥώμην ἀναγίνεσθαι.* "Εὐθεν καὶ τὸ Λῆον τελειωθέντα ὁδηγῶν, καὶ Κλήμεντα αὐτὸν αὐτὸν χειροτονήσας ἀπαυρόμενον, καὶ τὴν προσασίαν ἀναγίνεσθαι. ὃν καὶ λόγοις ἱκανοῖς πείσας, καὶ θάρρειν προτρέψας, ὅτι τὸ αὐτὸν τῶ λόγῳ ἀναδείξαι καθεδρῶν. Id est, "Postquam mansisset in Britannia dies aliquot, et multos verbo gratiae illuminasset, ecclesias statuisset, episcoposque, presbyteros et diaconos ordinavisset, anno XII. Caesaris Neronis Romam iterum reversus est, et inveniens Linum moriturum, Clementem in locum ejus elegit recusantem, et eam praefecturam deprecantem: quem sermone ille con-

digno persuadens, et cum bono esse animo exhortans, in cathedra doctrinae suae collocavit." Haec ille: Quid Innocentius? "Manifestum (est) in omnem Italiam, Hispaniam, et Africam atque Siciliam, insulasque interjacentes nullum instituisse ecclesias, nisi eos, quos venerabilis apostolus Petrus, aut successores ejus constituerunt sacerdotes." Non ait, insulas adjacentes, sed interjacentes; et num Britannia his concluditur terminis? De Petro etiam absolute dictum, ne glossa quidem intelligit. "Petrus apostolus" (inquit ^o Glossa) "vel aliquis ex ejus mandato, ut Paulus: nam Petrus Paulo dedit licentiam praedicandi auctoritate Domini, dum dicit, Segregate mihi Paulum et Barnabam." Glossam audis: ad Gildam ^p transeo, de clero gentis suae conquerentem: "Multos habere suam Britanniam, praecepta Christi spernentes, et suas libidines votis omnibus implere curantes, sedem Petri apostoli immundis pedibus usurpantes, sed merito cupiditatis in Judae traditoris pestilentem cathedram decedentes." Godwinus praeful dictum intelligit allegorice, ad perstringendum clerum Britannicum, vel quod essent hypocritae et ignavi in opere Domini: vel quod Nicolai immundi haeretici successores viderentur, potius quam Petri aut alicujus apostoli. Parsonius et alii, historice; et Petrum non solum evangelii lumen hic accendisse, sed et cathedram pariter hic collocasse episcopalem. Tempus etiam ejus adventus ponit id, quo Claudii Caesaris edicto Judaei omnes Roma pulsi sunt. Haec sigillatim omnia redarguit Godwinus et alii: tu, cujus in re fuerit, collutationes intueri, mihi aliud est in manibus.

VII. Refert praeterea Dorotheus non tantum Simonem (quem diximus) Zelotem Britanniam venisse, ibidemque occisum et sepultum: sed et Aristobulum, cujus Paulus meminit in epistola ad Romanos ^q, praedicandi evangelium causa huc etiam missum esse, et Britanniae factum episcopum. Huic e Menologio Graecorum astipulatur ^r Baronius. Et cum de recessu ejus nihil sit proditum, vitam hic finivisse existimatur.

VIII. Illud denique vulgatissimum, quod de Josepho Arimathaeae et sociis suis perhibetur. Dictum est in Actis Apostolorum, discipulos post lapidatum Stephanum dispersos esse, verbi semen (ut cum Athanasio dicam) per orbem universum delaturos. "Colligere possumus" (inquit ^s Baronius e manuscripta historia Anglorum in Bibl. Vaticana) "hoc quoque tempore Lazarum, Mariam Magdalenam ^t, Martham, et Marcellam pedissequam, in quos Judaei majori odio exardescabant, non tantum Hierosolymis pulsos esse, sed una cum Maximo discipulo, navi absque remigio impositos, in certum periculum mari fuisse creditos, quos divina providentia Massiliam tradunt appulisse: comitemque ferunt ejusdem discriminis Josephum ab Arimathaea nobilem decurionem, quem tradunt ex Gallia in Britanniam navi-

^k Cent. i. l. II. ca. ii. in fin. ex Theod. de cu. Graec. affect. ser. 9.
^l 54. et 38. ^m Epist. ad Decent. dist. 11. c. Quis nesciat?
^o Ca. 16. 10. ^p In Martyrol. 15. Mar. ^q Tom. I. an. 35. num. 5.

^r De Praeful. ca. i. ^s Ann. 44. Se. 2.
^t Ibid. col. 49. ^u In epist. de excid. Britan.
^v In act. Magdal. et sociorum.

gasse, illicque, post praedicatum evangelium, diem clausisse extremum." Et cum haec dispersio circa an. Chr. xxxvi. eveniret (tunc enim lapidatus est S. Stephanus) recte dixisse videatur Gildas loco priori citato, Britanniam recepisse fidem sub anno novissimo Tiberii Caesaris, i. infra quinquennium passionis Christi: sed an hoc ipso tempore, seu posterius venirent Iosephus ab Arimathaea et Simon Zelotes, ego non definiam; nec in dispari componendo calculo (vitio seculi) desudabo. Veniendi autem causa sic exponitur. Cum Philippus (apostolum dixeris, an evangelistam, nam confundi solent istorum res gestae) in Gallia praedicans, gravissime a Druidis oppugnaretur, intelligeretque eorum disciplinam (ut v. Caesar indicat) in Britannia vicina insula repertam esse et florentem; mittendos in Britanniam censuit XII. concionatores, qui conculcatis Druidarum superstitionibus, evangelii radiis illuminaret populum. Coetui praefecisse referunt * Iosephum Arimathaeum; venientesque omnes, opus Domini fideliter navasse: et rem apud Arviragum regem adeo promovisse, ut licet cauteriatum a vita superstitione, eum totum expedire nequeunt, quassum tamen reddunt et benignum. Penitentibus igitur quandam insulam in finibus suae regionis paludibus septam, rubisque horridam et nemoribus, habitandam concessit. Dicebatur tunc a Britannis indigenis Inisuitrim, id est, insula glacialis, a Saxonibus postea superioribus eodem sensu Glasteie, ab inferioribus vero (cum aedificiis resplenderet clarioribus) Glastenbury, hoc est, vel curia, vel oppidum in insula glaciali. Sed ut e meo nihil proferam: mallem enim cum v. Hieronymo, aliena verecunde dicere, quam mea imprudenter ingerere: narrationem integram a Guilielmo Malmesburienfi, qui libellum De antiquitate Glastoniae 500. hinc annis composuit, referemus. Sic autem ille pro more et religione sui seculi.

Willielmus Malmesbur. de antiquitate Glastoniensis ecclesiae. Quomodo XII. discipuli sanctorum Philippi et Jacobi apostolorum primo ecclesiam Glaston. fundaverunt.

IX. "Post dominicae Resurrectionis gloriam, ascensionis suae triumphum, ac Spiritus paracleti de supernis missionem, qui discipulorum corda temporalis adhuc poenae formidine trepidantia replevit, scientiam omnium linguarum tribuendo; "erant omnes credentes simul cum mulieribus, et Maria matre Jesu," ut Lucas enarrat evangelista, "et verbum Dei disseminabatur, crescebatque numerus credentium quotidie, eratque omnibus cor unum ac anima una." Invidiae ergo accensi facibus sacerdotes Iudaeorum, cum Phariseis et Scribis, concitaverunt persecutionem in ecclesia, interficiendo protomartyrem Stephanum, et fere a finibus suis omnes procul pellentes.

X. Hac igitur persecutionis procella saeviente, dispersi credentes petierunt diversa regna terrarum a Domino sibi delegata, verbum salu-

tis gentibus propinando. Sanctus autem Philippus, ut testatur Freculfus lib. II. ca. 4. regionem Francorum adiens gratia praedicandi, plures ad fidem convertit et baptizavit. Volens igitur verbum Christi dilatari, duodecim ex suis discipulis elegit, et ad evangelizandum verbum vitae misit in Britanniam, quibus (ut ferunt) charissimum amicum suum Ioseph ab Arimathaea, qui et Dominum sepelivit, praefecit. Venientes igitur in Britanniam anno ab incarnatione Domini LXIII. ab ² assumptione beatae Mariae xv. fidem Christi fiducialiter praedicabant.

Rex autem barbarus cum sua gente tam nova audiens et inconsueta, omnino praedicationi eorum consentire renuebat, nec paternas traditiones commutare volebat. Quia tamen de longe venerant, vitaeque eorum exigebat modestia, ad petitionem eorum quandam insulam sylvis, rubis, atque paludibus circumdatam, ab incolis Yniswitrin nuncupatam, in lateribus suae regionis ad habitandum concessit. Postea et alii duo reges, licet pagani, successive comperta eorum vitae sanctimonia, unicuique eorum unam portionem terrae concesserunt, ac ad petitionem eorum secundum morem gentilium dictas xii. hidas eisdem confirmarunt, unde xii hidae per eos adhuc, ut creditur, nomen sortiuntur.

Praedicti itaque sancti in eodem deserto conversantes, post pusillum temporis visione archangeli Gabrielis admoniti sunt, ecclesiam in honorem sanctae Dei genitricis et virginis Mariae in loco caelitus eis demonstrato construere, qui divinis praeceptis non segniter obedientes, secundum quod eis fuerat ostensum, quandam capellam inferius per circuitum virgis torquatis muros perficientes consummaverunt anno post passionem Domini xxxi. post assumptionem gloriofae virginis xv. ex deformi quidem schemate, sed Dei multipliciter adornatam virtute. Et cum haec in hac regione prima fuerat, ampliori eam dignitate Dei filius insignivit, ipsam viz. in honorem suae matris dedicando. Duodecim igitur sancti saepius memorati in eodem loco Deo et beatae virgini devota exhibentes obsequia, vigiliis, jejuniis, et orationibus vacantes, ejusdem virginis auxilio ac visione (ut credi pi-um est) in omnibus necessitatibus refocillabantur. Haec autem ita se habere tum ex charta beati Patricii, tum ex scriptis seniorum cognoscimus, quorum unus Britonum historiographus, prout apud sanctum Edmundum, itemque apud sanctum Augustinum Anglorum apostolum vidimus, ita exorsus est. Est in confinio occidentalis Britanniae quaedam regalis insula, antiquo vocabulo Glastonia nuncupata, latis locorum dimensa finibus; piscosis aquis, stagnisque circumdata fluminibus et plurimis humanae indigentiae apta usibus, atque sacris (quod maximum est) dedicata muneribus. In ea siquidem primi catholicae legis neophyti antiquam Deo dictante reppererunt ecclesiam nulla hominum arte, ut ferunt, constructam, imo humanae salutis a Deo paratam, quam postmodum ipse

* Bel. Gal. lib. VI.

* Capgrav. in vita Iosephi.

* Epist. ad Paulin.

² Haec non habentur in Freculfo.

De hac nihil certi apud auctores proditum, et de tempore, monstrosa (inquit Baronius) discrepantia. An. 48. § 4.

caelorum fabricator multis miraculorum gestis, multisque virtutum mysteriis sibi sanctaeque Dei genitrici Mariae se consecrasse demonstravit. Sed de his postea: nunc autem ad incepta redeamus. Sancti igitur memorati in eodem eremo sic degentes, effluentibus multis annorum curriculis, carnis ergastulo sunt educti, idemque locus coepit esse ferarum latibulum, qui prius fuerat habitatio sanctorum, donec placuit beatae virgini suum oratorium redire ad memoriam fidelium.

XI. Laborat haec narratio (quod in aliis solet) fermento monachorum, et Josephi igitur aevo ita male in quibusdam consonat, ut ipsum ejus adventum in dubitationem trahat, qui ducentos pene supra mille annos veterum testimonio inolevit. Non moror quae ^a Capgravius refert: "Librum de antiquitate Glaston. et de sancto Josepho ab Arimathaea extractum fuisse de libro quodam per Theodosium imp. invento in praetorio Piti [forte Pilati] in Hierusalem." Nec quae in charta suggeruntur Glastonienfi, sub nomine S. Patricii, eam tamen librum esse censeo, quem ^b Balaeus refert Patricium scripsisse De antiquitate Avalonica. Sed vulgatam fuisse hanc de Josepho et sociis suis traditionem ante an. Dom. DL. ex eo constat, quod Melkinus Avalonius, qui tunc floruit vates inter Britannos celeberrimus (quantumvis alias fabulosus) de hac meminisse dicitur copiose. Mihi non obvenit quidpiam operum ejus, sin ^c Balaei valeat attestatio: refert ille Melkinum "in libro de antiquitatibus suae gentis plura tradidisse de primis in Britannia Christi testibus, et de patrum coemeterio sacro. Avalonia (inquit Melkinus) funerum avida, millia dormientium accepit, inter quos Joseph ab Arimathaea dictus, somnum sub marmore diuturnum coepit, etc. Claruit [Melkinus] anno Christi DL. sub rege Vortuporio." Haec Balaeus, quae (et plura ex eodem) Capgravius: et videtur hic esse Britonum ille historiographus, ad cujus scripta in coenobiis S. Edmundi Buriensis, et S. Augustini Cantuariensis conservata, inter seniorum alia supra provocat Malmesburius. Sed multo his antiquius est, quod de adventu Josephi retulit Gildas ille Albanicus, ut supra videas in sect. II.

XII Rex autem barbarus, quem Malmesburius hic dicit insulam Yniswitrin, id est, Glastoniam, duodecim discipulis a Philippo in Britanniam missis, habitandam concessisse; a ^d Capgravio praedicto (Lennenfi nostro monacho) Arviragus nominatur; et alii duo reges pagani (qui unicuique eorum unam portionem terrae successive concesserunt) Marius et Coillus. "Comperta" (inquit XII. illorum) "vitae sanctimonia, alii duo reges licet pagani, Marius Arviragi filius, et Coillus Marii filius, uni-

cuique eorum unam hidam terrae concesserunt, et pariter confirmaverunt: unde et adhuc duodecim hidae per eos ^e nomen fortiuntur." Mirre discrepare videtur haec narratio a Malmesburi illa, quam sub fine hujus tractatus sum daturus, ubi ait: "Anno Incarnationis DCI. id est, adventus beati Augustini quinto, rex Domnoniae [i. Devoniae et Cornubiae] terram, quae appellatur Ineswithrin, ad ecclesiam vetustam concessit, quae ibi sita est, ad petitionem Worgret abbatis in quinque cassatis. Ego Mawron episc. hanc chartam conscripsi. Ego Worgret ejus loci abbas subscripsi. Sed perspicuum est ex ipso hoc loco, fuisse jam antea in insula Ineswithrin, seu Glastonia, duas ecclesias, unam prae nimia antiquitate vetustam appellatam; quae et alteram supponit recentiorem (illam scilicet a S. Davide circiter an. Dom. conditam) et ab ampliori structura majorem dictam. Fuisse hic etiam monasterium nobile, cui (a S. Patricio annos plus minus CLX. antea instituto) Worgret abbas nunc praesidebat. Totam igitur insulam seu terram Iniswithrin a rege Domnoniae jamjam dari, non est cogitandum; sed vicinam aliquam portionem, id est, quinque cassatas, quas alii hidas vocant, et carucas terras. Sed et illud intelligendum est, quod in antiqq. etiam regum chartis "concessisse" saepe dicitur de re ab altero prius data, pro "confirmasse."

De lamina aenea haec attestante, olim in columna Glastoniae affixa.

Allata mihi fuit circiter hinc quinquennium priscae cujusdam laminae inscriptio, Glastoniae (ut ferebatur) effossae, istas breviter perhibentis antiquitates. Sed cum laminam ipsam nequaquam viderim, ad aeneam illam transeo, quae in columna vetustissimae ibidem ecclesiae affixa, ad manus D. Thomae Hugonis equ. aurati postea devenit, et filii sui beneficio apud me spectabilis jam habetur. Crebra ab auctoribus nostris fit ejusdem mentio, a nullis tamen (quod sciam) integre; et a quibusdam parum candide. Extra fucum igitur ut rem ponam, specimen ejus omnibus suis numeris et apicibus absolutum, ab ipsissima illa aenea lamina (scabrosa, uti videas, et impolita) curavi imprimendum: ut de re sub oculis tuis existente, tute ipse iudicium feras, semota jam antiquitatis larva.

Sequitur laminae iconismus, in quo foramina quae per circuitum marginis conspiciuntur, suscipiebant clavos, quibus lamina ad columnam figebatur. Lineam vero, quae per extremitatem marginis circumducitur, nos insculpi fecimus, ne alioquin non appareret margo in impressis interdum paginis. Constat lamina a duabus partibus, ut in exemplo vides.

^a In vita S. Joseph.

^b Cent. I. c. 44.

^c Cent. I. ca. 57.

^d In vita S. Joseph. ab Arimathaea.

^e XII. hi-

darum, non singulorum discipulorum.

Exemplar secundum a primo redditam dextrorsum.

Anno post passionē do-
mini. xxxi. duodecī scī ex quibz
Joseph ab arimathia primus erat. huc
uenerūt. qui eccliam huius regni primā in hoc
loco cōstruxerūt. quī ipse i honorē sue mris a locū p
eorū sepultura p'sentialit' dedicauit. scō dauid mene-
uēciū archiepo hpc testante. Qui dñs eccliam illā dedica-
te disponēti in somnis apparuit & eū a proposito reuo-
cauit. necnō i signū qd ipse dñs eccliam ipam prius cū
cimiterio dedicarat: manū epī digito pforauit. & sic p
forata multis uidētibz i crastino apparuit. postea uo idē
epc dño reuelāte ac scōz numō in eadē crescēte: quēdā
cancellū i orientali parte huic ecclie adiecit & i honore
beate uirginis. consecrauit. Cuius altare iestimabili
saphiro i perpetuā huius rei mēoriā insigniuit
Et ne loc' aut qntitas poris ecclie
p tales augmentacōes obli-
uioni tradēt' erigitur.

hec colūpna i linea p
duos orientales angulos
eiusdē ecclie usq' i diem p
tracta & p'dictū cancellū ab ea abscin-
dente. Et erat ei' lōgitudō ab illa linea usq' oc-
cidente. lx. pedū. latitudo uo ei' xxvi. pedum
distācia centri istius colūpne a puncto me-
dio it' p'ictos angulos. xlviij. pedum.

multis videntibus in crastino apparuit. Postea vero idem episcopus, Domino revelante, ac san-
ctorum numero in eadem crescente, quendam cancellum in orientali parte huic ecclesiae adiecit,
et in honore beatae virginis consecrauit, cujus altare inaeestimabili saphiro in perpetuam huius rei
memoriam insigniuit. Et ne locus aut quantitas prorsus ecclesiae per tales augmentationes obliui-
oni traderetur, erigitur haec columpna in linea per duos orientales angulos ejusdem ecclesiae ver-
sus meridiem protracta, et praedictum cancellum ab ea abscondente. Et erat ejus longitudo, ab
illa linea versus occidentem lx. pedum, latitudo vero ejus xxvi. pedum, distantia centri ipsius co-
lumpnae a puncto medio inter praedictos angulos xlviij. pedum.

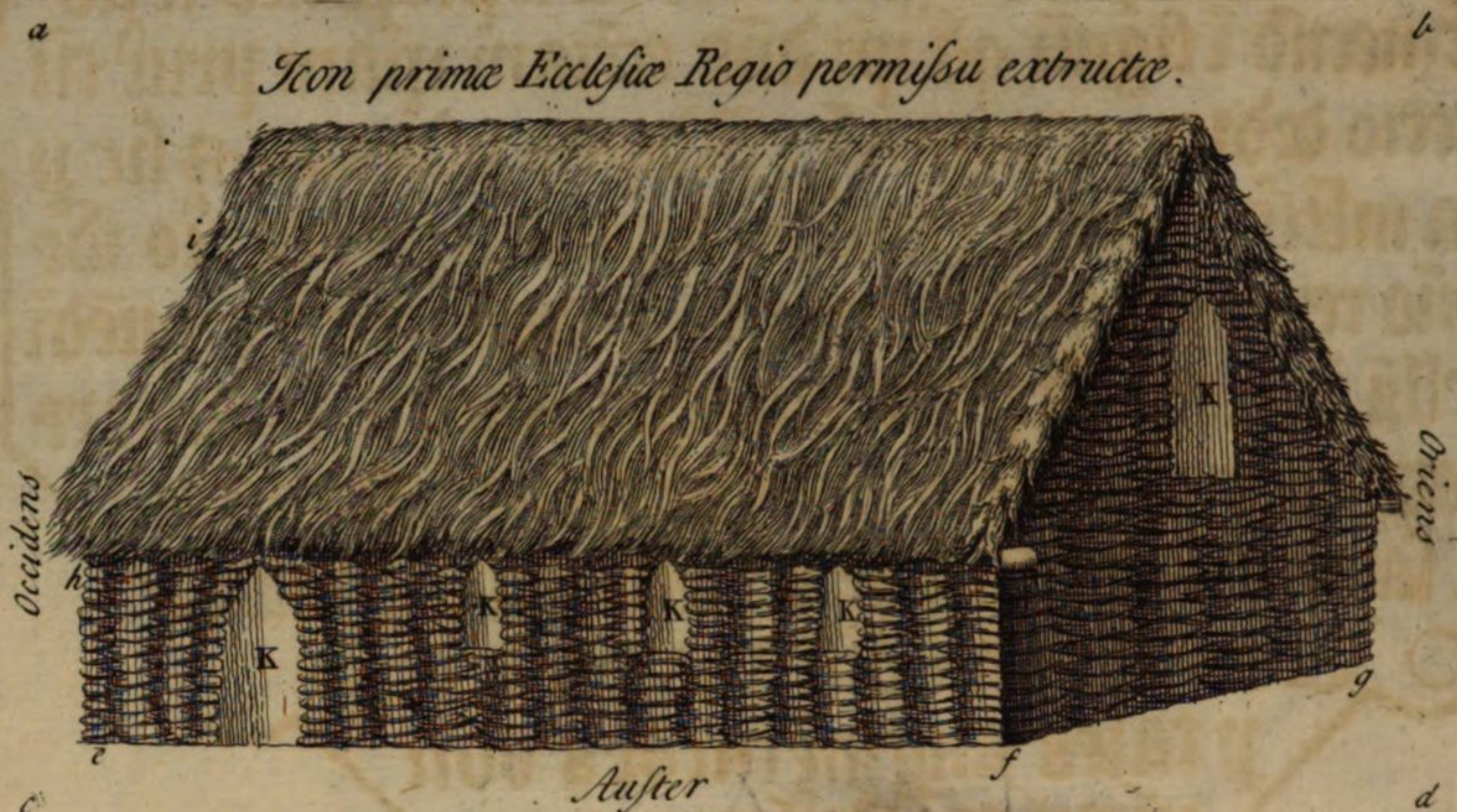
Quid

Quid observandum in lamina.

XIV. Non vetusta hic quidem litera, nec quae tertium abhinc seculum excedit, si (quod dubito) eousque attigerit. E legendarum etiam somniis est narratio: et licet alicubi alias evenerit (quod difficile est probatu) ecclesias sub hac tempestate fuisse conditas; cingi tamen pro more hodierno suis coemeteriis non constabit. Multae siquidem erant in urbibus Britannicis ecclesiae mox a primis religionis christianae seculis; nullum autem coemeterium, usquedum Cuthbertus, decimus ab Augustino Cantuariæ archiepiscopus (qui obiit circa an. Dom. DCCXCVIII.) privilegium habendi in urbibus coemeteria a

Romano pontifice reportavit. Quis etiam antiquorum affirmaverit ullos sub primis his seculis in ecclesiis sepultos esse, aut in primo seculo ecclesias sanctis dedicatas, aut beatam ipsam virginem a coevis suis jam tum cultam esse et invocatam? Sed de dedicatione ista observandum est, nihil innotuisse sub tempore constructionis ipsius ecclesiae (quae fuisse traditur anno XXXI. post passionem Christi) nec in toto aevo Josephi Arimathæi, aut per annos plus minus D. postea; donec S. David, qui Menevensis factus est archiepiscopus an. Dom. DXIX. eamque sedem tenuit LXV. annos (nam vixisse fertur annos CXLV.) haec e somnio primitus intellexerat.

XV. *Formam primae istius ecclesiae totius orbis vetustissimae, qua ex supradictis auctoritatibus et conjecturis assequi possimus probabilibus, hic intueri.*



a b c d. Ambitus coemeterii incertae dimensionis, sed quod "millia dormientium" (inquit Melkinus, qui floruit an. Dom. DL.) accepit. Inter quos Joseph. ab Arimathæa, etc. juxta meridianum angulum oratorii."

e f. Longitudo ecclesiae lx. pedum, juxta laminam.

f g. Latitudo ecclesiae xxvi. pedum juxta laminam.

h. Parietes ecclesiae ex virgis contortis, juxta Malmesburium, fabricati; more scilicet prisco illo, quo et aedes ipsae aliquando regiae. Sic rex totius Walliae sub an. Dom. DCCCCXL. Hovelus Dda domum voluit aedificari virgis albis in hospitium sibi ad venandum, quando ad partes Demetiae veniret, et ideo vocatur Ti guyn, id est, domus alba: ut enim a plebeis innotesceret, virgas (pro fastu regio) voluit decorticari. Texebantur et e virgis ipsa castra. "Pembrochiae castrum [inquit Giraldu Cambrensis] Arnulphus de Montgomery sub Anglorum rege Henrico I. ex virgis et cespite tenui satis exile construxit." Et humiles quidem fuisse parietes, prisca docet Anglosaxonum consuetudo: qui ut parvulorum suorum indolem experirentur, po-

nere eos solebant super imam tecti partem (quam subgrundam Varro nuncupat) et si timide inhaerent aut ejularent, pusillanimes fore pronunciabant; si vero comprehenso stramine alacriter prorepserint, futuros illos *protoutheper* (i. magnanimos) acclamabant. Innuit autem haec consuetudo parietes domorum adeo humiles fuisse, ut manu quidem subgrunda tangeretur. Virgeas hujusmodi domos passim vidimus in Hibernia, saepe etiam et in Anglia.

i. Tectum: cujus desideratur hic notitia, ideoque e communi Britannorum usu stramineum facio, vel pro natura paludosae illius regiunculae, e foeno potius, vel e scirpis, ^h Beda suffragante. "Accenso (inquit) grandi igne in medio [domus] contigit volantibus in altum scintillis, culmen domus, quod erat virgis contextum et foeno tectum, subitaneis flammis impleri." Sic olim aliquando ipsum Capitolium, teste ⁱ Ovidio:

"Quae fuerat nostri si quaeras regia nati,
Aspice de canna straminibusque domum.

k k k k. Ostium et fenestras e conjectura posui.

^f Apud Capgr. in vita Josephi.

^g In Itin. Camb. l. I. ca. 12.

^h Hist. l. III. c. x.

ⁱ Fast. lib. III. Mart.

Lucius rex Britannicus fidem sopitam suscitavit et amplectitur.

XV. Mortuis (ut praedictum est) caelestium radiorum primis latoribus, ingens lucis evangelicae subsecutum est deliquium. E crepusculo autem et scintillis alias atque alias sparsim remanentibus, auditisque christianorum Romae, et in aliis regionibus fama, pietate, et miraculis, lucem concipit et ardorem caelestis regni Lucius ipse rex Britannicus. Legatos igitur Romam mittit Eluanum et Meduinum, viros probitate spectabiles, et in scripturis eruditos; contenditque per epistolam a Romano praefule Eleutherio christianus fieri, ductoresque et doctores dari, qui semetipsum populumque suum sacro mundarent fonte, et caelestis regni trami-tem edocerent. Annuit festinanter Eleutherius, et baptizatos prius Eluinum in episcopum, Meduinum in doctorem ordinat, et Britanniam relegat. Adjungit autem ad vineam Domini fincerius excolendam a latere suo clericos duos celeberrimae eruditionis, Faganum et Deruvianum, quorum praedicatione rex ipse Lucius, una cum uxore, fidei imbuitur lavacro, et exemplo ejus undique concurrentes populi. Coruscant jam tam Britannia caelestibus radiis, et luce nova repletus Lucius, tenebras paganorum explodit superstitiones, deletisque idolis et falforum numinum simulachris, templa purgat ab his fordibus, et ad veri Dei cultum diligenter instruit.

De gentilium flaminibus et archiflaminibus in episcopos et archiepiscopos mutatis.

XVI. Quae sequuntur, accipe a¹ Galfrido (ut vocant) Arturio, primum Monumetensi archidiacono, postmodum (anno scil. MCLI.) Eluensi, hoc est, Assaphensi episcopo. “Beati ergo doctores cum per totam fere insulam paganismum delevisent, templa, quae in honore plurimorum deorum fundata fuerant, uni Deo ejusque sanctis dedicaverunt, diversisque ordinatorum coetibus repleverunt. Fuerunt tunc in Britannia octo et viginti flamines, necnon et tres archiflamines, quorum potestate caeteri judices morum atque phanatici submittebantur. Hos etiam ex praecepto apostolici idololatriae eripuerunt: et ubi erant flamines, episcopos, ubi erant archiflamines, archiepiscopos posuerunt. Sedes autem archiflaminum in tribus nobilioribus civitatibus fuerant, Londoniis videlicet atque Eboraci et in urbe Legionum; quam super Oseam fluvium in Glamorgantia veteres muri et aedificia sitam fuisse testantur. His ergo tribus evacuata superstitione, octo et viginti episcopi subduntur, diversis quoque parochiis. Subjacuit metropolitano Eboracensi Deira et Albania, quas magnum flumen Humbri a Loegria fecernit. Londoniensi vero metropolitano submissa est Loegria et Cornubia. Has duas provincias sejun-

git Sabrina a Cambria, id est, Gualia, quae urbi Legionum subjacuit.

Denique restauratis omnibus, redierunt antistites Romam, et quae fecerant, a beatissimo papa confirmari impetraverunt. Confirmatione vero facta, reversi sunt in Britanniam, compluribus aliis comitati; quorum doctrina gens Britonum in fide Christi in brevi corroborata fuit. Eorum nomina et actus in libro reperiuntur, quem Gildas de victoria Aurelii Ambrosii inscripsit. Quod autem tam lucido tractatu paraverat, nullatenus opus fuit ut inferiori stylo renovaretur.” Haec ille.

Qui et quales erant isti flamines, et de conversione eorum in episcopos.

XVII. Vidissemus utinam Gildae hunc librum. Bene autem res se habet, si vel Gaufridus ipse, vel, quem interpretatus est, auctor suus Britannicus aliquando viderit. De Gaufrido enim nec tam austere, ut Neubrigensis olim, nec tam leviter, ut jam inde Polydorus, censeo: facile tamen haud credam reperiri uspiam apud veteres flaminum istam atque archiflaminum per provincias distributionem; aut sub Lucii aevo in usu esse voces archiflamines et archiepiscopi: exortasve jurisdictiones metropolitanas, aut pallii ceremoniam. Quippe flamines^m apud Romanos alii non erant quam sacerdotes; sic autem dicti a filo (inquit Varro) quo cingebantur capita, quasi filamines: ut alias a pileo (juxta Plutarchum) pileamines, et a sacrificando, vulgariter sacrificuli. Et cum singulorum singuli navarent deorum ministeria, unusquisque a deo suo nomen reportavit. Primum tres tantummodo: Jovis, qui flamen Dialis; Martis, qui flamen Martialis; Quirini, qui Flamen Quirinalis appellatus est. Deinde caeteri omnes cujuscunque dei. Vulcanalis, Floralis, Voltornalis, Pomalis, Furinalis, Falacer, etc. Demum ipsorum Caesarum, quos in deos evexerant, divi Julii Caesaris flamen; divi Marci, Heli, Antonini, et aliorum.

Nec obtinuit istorum aliquis sacerdotalem jurisdictionem per certam aliquam provinciam, aut solus in una aliqua curia ministrabat. Sed cum triginta olim sub Numa (postea triginta sex) in urbe Roma haberentur curiae (quas parochias appellemus) singulae praeponebantur bini flamines. Nec subiciebantur isti superiori alicui flamini, qui exinde archiflaminis aut protoflaminis insigniretur nomine, sed toti pontificum collegio, ejusdemque praefidi pontifici maximo, non archiflamini. Agnosco tamen flamines alios dici majores, alios minores; at hoc non a potestate, sed ab antiquitate: quod tres illi primi a Numa et e patriciis instituerentur; caeteri postea e plebeis. Sic et qui curiarum erant flamines, curiales appellati sunt, alii non item. Haec in gentilium Romanorum hierarchia, parum ad Britannicam illam, de qua Gaufridus, nusquam (quod sciam) alibi inventam.

¹ l. IV. c. xix, xx. edit. Heidelb. MDLXXXVII.

^m Flamines inferioris imperii aevo per provincias occidentis fuere, qui majora sacerdotia gerebant; et archiflamines eorum primates. Eorum flaminum mentio in concilio Eliberitano et apud Isidor. Mercator. in epistolis paparum decretalibus, quas ipse commentus est. De his etiam flaminibus et archiflaminibus gentilium, quibus comparant episcopos et archiepiscopos gentilium, nos ad illud conciliumplura. SALMAS.

Gaufrido autem atque aliis, qui flaminum, archiflaminum, et protoflaminum commento capiuntur, imposuisse videtur Gratiani auctoritas, epistolis munita S. Lucii et ipsius Clementis, Petrum apostolum rei laudantis auctorem, Fenestellae etiam veteris Romani historiographi sub imp. Tiberio. Certe epistolae illae, ut aliae aliquot decretales sub larva antiquitatis diu latitantes, fictitiae tandem comprehenduntur, cedentibus (et ingenue) quibusdam pontificiis, nec tum propugnante Baronio ipso, vel Bellarmino. Libellus vero, qui sub ⁿ Fenestellae nomine hodie prostat, plane non illius est. Quomodo enim is, qui obiit (ut refert Plinius) novissimo Tiberii Caesaris principatu, hoc est, anno a resurrectione Christi iv. futuros Romanae ecclesiae gradus, episcopum, archiepiscopum, cardinalem, patriarcham, metropolitanum, et recentiora alia praedicaret? Vidit et admonuit, qui Basileae primus impressit Valentinus Curio, librum hunc non esse Fenestellae: et qui ibidem postea anno Dom. MDXXX. illustratiorem reddidit Matthias Bredebachius: sed comperto tandem auctore, Plantinus eum in octavo Antverpiae edidit, sub nomine Dominici Flacci Florentini, ut Gesnerus perhibet, annum licet, in quo floruit Flaccus iste, non exprefferit. Undecunque autem in Gaufridi historiam devenit flaminum ista atque archiflaminum suggestio, aut latuisse videtur aequalem suum Guilielmum Malmesburiensem, et mox Giraldum Cambrensem, aut ab eisdem non satis lucide confirmata. Tractantes enim ambo Lucii conversionem, de his neuter meminit: sed nec primus quidem de episcopis, et alter aliter de episcopatibus. Placeat ut quid uterque prodidit recitemus, nam e latibulis nec efferuntur isti codices, nec nobis contigit vidisse integros. Subsequitur autem in Malmesburii (quem diximus) commentario in hunc modum.

Quomodo sancti Phaganus et Deruvianus Britannos ad fidem converterunt, et in insulam Avalloniae venerunt.

XVII. Tradunt bonae credulitatis annales, quod Lucius rex Britannorum ad Eleutherium, XIII. loco post beatum Petrum, miserit orans ut Britanniae tenebras luce christianae praedicationis illustraret, etc. Venerunt igitur, Eleutherio mittente, praedicatores Britanniam duo viri sanctissimi, Faganus videlicet atque Deruvianus, prout charta beati Patricii et gesta Britannorum testantur. Hi igitur verbum vitae evangelizantes, regem cum suo populo sacro fonte abluerunt an. Dom. CLXVI. Hinc praedicando et baptizando Britanniae partes peragrantes, in insulam Avalloniae, more Moyfi legislatoris interiora deserti penetrantes, sunt ingressi, ubi antiquam, Deo dictante, repereunt ecclesiam manibus discipulorum Christi, ut ferunt, constructam, et humanae saluti a Deo paratam: quam postmodum ipse caelorum fabricator multis miraculorum gestis, multisque virtutum mysteriis sibi sanctaeque Dei genitrici Mariae se consecrassse demonstravit.

XVIII. Fluxerunt autem ab adventu discipulorum sancti Philippi in Britanniam, usque ad adventum sanctorum memoratorum CIII. anni. Igitur praedicti sancti Faganus et Deruvianus, oratorio illo sic reperto, ineffabili sunt referti gaudio, ibidem in Dei laudibus moram pertrahentes diuturnam, per novem videlicet annos. Locum etiam diligenter perscrutantes, figuram nostrae redemptionis, aliaque signa manifesta repperunt, quibus bene cognoverunt quod christiani prius locum inhabitaverunt. Postea caelesti perpendentes oraculo, quod Dominus ipsum locum prae caeteris Britanniae specialiter elegerit ad nomen gloriosae genitricis suae ibidem invocandum. Omnem etiam narrationem in antiquis scriptis invenerunt, qualiter sanctis apostolis per universum orbem dispersis, sanctus Philippus apostolus, cum multitudo discipulorum in Franciam veniens, duodecim ex ipsis in Britanniam misit ad praedicandum. Qui praedictam capellam, angelica docti revelatione, construxerunt, quam postmodum Filius altissimi in honorem suae matris dedicavit. Ipsisque duodecim tres reges, licet pagani, duodecim portiones terrae dederunt ad eorum sustentationem.

Insuper gesta eorum scripta invenerunt, ideoque locum prae caeteris dilexerunt, qui etiam in memoriam primorum duodecim, ex suis sociis duodecim elegerunt, et in praefata insula, rege Lucio consentiente, habitare fecerunt. Qui postea in diversis locis, sicut anachoretae, manserunt ibidem, in eisdem videlicet locis, in quibus primi duodecim primitus habitaverunt. In vetustam tamen ecclesiam ad divina obsequia devotius complenda crebro convenerunt quotidie. Et sicut tres reges pagani dictam insulam cum adjacentiis suis duodecim primis Christi discipulis dudum concesserant, ita praedicti Faganus et Deruvianus istis duodecim sociis, atque aliis in posterum secuturis, ab eodem rege Lucio liberam eandem confirmari impetrabant. Sic autem multi aliis succedentes, semper tamen in numero duodenario per multa annorum curricula, usque ad adventum sancti Patricii Hibernensium apostoli, in memorata insula permanserunt. Huic etiam ecclesiae sic repertae aliud dederunt sancti neophytæ opere lapideo oratorium, quod Christo sanctisque apostolis Petro et Paulo dedicaverunt." Ex antiquo exemplari scripto de antiquitate Glaston. etc.

XX. Malmesburium audisti: restat ut Giraldum Cambrensem pariter exhibeamus, qui in hunc modum suam complectitur narrationem.

Phaganus et Deruvianus missi ab Eleutherio, fidem serunt, quinque metropolitae, et duodecim singulis episcopatus statuunt, Saxones irruunt.

Ad instantiam itaque Lucii regis Britonum missi sunt ab Eleutherio episcopo Romano, qui quasi quartusdecimus fuit a beato Petro, duo nobiles praedicatores in Britanniam majorem, Faganus scilicet et Deruvianus, qui fidem

* Fenest. l. I. ca. v.

Christi per universam insulam a mari usque ad mare plantaverunt. Et juxta provinciarum numerum, quas tempore gentilitatis habuerat insula, quinque metropoles; singulas, duodecim urbes, sicut olim habuerat, et suffraganeas ecclesias totidem subjectas habentes, ordine et numero competenti distinxerunt. Juxta tomum enim Anacleti episcopi Romani, sicut in pontificalibus Romanorum gestis, et imperialibus continetur, directum Galliarum episcopis, juxta statum gentilium ante Christi adventum, Britannia habuit provincias numero quinque, Britanniam primam, Britanniam secundam, Flaviam, Maximiam, Valentiam. Prima dicta est occidentalis pars insulae, quia primum in illo Britones, Bruto et Corineo ducibus, applicuerunt, eaque primo a Corineo et suis occupata est, et inhabitata. Britannia secunda, Cantia, quia secundo a Bruto et suis inhabitata fuerat. Tertia, Flavia, hoc est, Flava, quae dicitur et Mercia, quasi mercibus abundans, cujus caput est London. Quarta, Maximia, id est, Eboraca, ab imperatore Maximo dicta. Quinta, Valentia, ab imperatore Valente nuncupata Albania, scilicet quae nunc abusive Scotia dicitur. Sicque ordinatum a viris sanctis praedictis duobus fuerat, ut in occidentali insulae parte, quae et nunc adulterino vocabulo Wallia dicitur, proprie vero Cambria a Cambro Bruti filio dicta, urbs Legionum^o metropolis fuerat, duodecim suffraganeos habens. Dorobernia, quae nunc Cantuaria dicitur, a (Dur) Britannico, quod est aqua, quoniam aquis abundat, sic nuncupata, metropolis ab australi Thamisiae fluvii parte, duodecim suffraganeos habens. Lundonia metropolis, duodecim suffraganeos habens. Eboraca, quae nunc dicitur Eboracum, metropolis, duodecim suffraganeos habens. Et urbs quae nunc sancti Andreae forsitan dicitur, totidem suffraganeos habens, olim Alba dicta, unde et Albania dicta provincia, vel potius ab Albanacto Bruti filio nuncupata.

Cumque hoc ordine distincta ducentis annis et pluribus Britannica ecclesia florisset, supervenit gens Saxonica, quae nunc Anglica dicitur, a Britonibus invitata, ut eis contra Pictos et Scotos, qui boreales insulae partes occupaverant, Britonum stipendiis militarent. Tandem vero cum viribus et numero crevissent, juncto cum hostibus foedere, et ipsi quoque peiores hostes effecti, miris praedationibus incolas usque ad occiduas partes insulae propulerunt, totamque terram residuam, quam et Angliam postea vocaverunt, a natali suo Saxoniae solo, quod lingua eorum Engelont vocabatur, i. angularis terra, Britanniam occupatam sic nominantes, necnon et Scotiae partem non modicam, destructis ecclesiis, ritu gentilitatis, quia gentiles erant, foedaverunt: Britonibus nihilominus Christi fidem in occiduis insulae finibus inconcussae servantibus." Haec Giraldus.

XXII. Haec Giraldus: qui licet singulis Britanniae provinciis singulos dari asserit sub Lucii aevo metropolitanos episcopos, juxta priscam

insulae divisionem a Romanis ante adventum Christi factam, et ab Anacleto, ut is perhibet, postea designatam: nihil hic tamen vel de flaminum, vel archiflaminum ditione, vel de gentilium quidpiam hierarchia prodidit. Eum tamen haud latuit vox archiflamen: nam Helenum Priami filium alias agens, archiflaminis titulo donat. Sed quid ad Giraldum, aut Gaufridum, aut Malmesburiensem, virum certe gravem et modestum, in tantarum antiquitatum caligine, absque seniorum suffragio provocamus: Gaufridum praesertim et Giraldum, qui in gente sua Britannica efferenda, nihil non egregium, nihil humile spirant aut inglorium?

In hac quidem narratione haud minus luxuriare videtur Giraldus Cambrensis, quam in altera Gaufridus ipse Monumethensis. Quis enim quintuplicis hujus Britanniae divisionis Lucii meminit seculo? aut quis quinquies duodecim urbes episcopales unquam in Britannia numeravit? Fattetur Giraldus in his divisionibus, unam Flaviam dici: aliam Maximiam (rectius Maximam) atque hanc a Maximo imp. tertiam, Valentiam, a Valente nominatam: cum Maximus imperium non suscepit ante ann. Domini cccclxxxiii. Valens non ante cccclxvii. et Flavia perhibetur dicta a Flavio Theodosio imp. Valentis filio, qui purpuram non adeptus est ante annum cccclxxxviii. Multo hi omnes post mortem Lucii. Sed mutasse forsitan eos dixeris provinciarum nomina, potius quam provincias ipsas constituisse. Esto: et jam tum audi ^p Pancirollum, virum sane egregie versatum in Romana historia. "Constantinus magnus quinque ejus [Britanniae] provincias fecisse dicitur; eam quae postea Maxima Caesariensis est dicta, Valentiam, Britanniam primam, Britanniam secundam, quae antea fuerant, et Flaviam Caesariensem, a se, qui Flavius Constantinus vocabatur, appellatam." Habemus jam ergo quinariae istius divisionis exordium, et hanc quidem supra centum et viginti annos post excessum Lucii: nam imperii et Britanniae suscepisse regimen Constantinus dicitur circa an. Dom. cccxi. Lucius obiisse circa an. clxxxvi. De metropolitibus igitur, et archiepiscopatu, episcopatuque sedibus, et numero sub rege Lucio institutorum, cautius statuendum censeo: praesertim cum ^q Guilielmus Malmesburiensis, episcopatum nostrarum antiquitatum d. ab hinc annos rimator solertissimus, nec archiepiscopatus sedem Cantuaria vetustiore novisse videtur, nec ubi locorum inter Britannos poneretur, reperit. "Ibi, scil. Cantuariae, prima," inquit, "sedes archiepiscopi habetur, qui est totius Angliae primas et patriarcha. Caeterum ubi fuerit archiepiscopatus tempore Britonum, cognitio labat; quia vetustas consumpsit nostri seculi memoriam." Loqui videtur de Britonibus, non solum sub Lucii seculo, sed et de inferioribus aliis. Et sufficit quidem plurimos hic fuisse episcopos, etiam et metropolitanos aliquos, vel sub ipso Lucio, vel mox ab aevo ejus, licet de ipsorum

^o Giraldus de sedis Menevensis dignitate apud D. Joh. Priseum pa. 73. ad lib. I. de Gest. Pont.

^p In Notit. Dignit. p. 158.

^q In prologo

sedibus atque numero lucide satis non constiterit.

Haec mihi concinnanti, delati sunt a reverendissimo patre D. Jacobo Armachano archiepiscopo quaterniones aliquot libri sui, jam tum sub praelo, "De primordiis ecclesiarum Britannicarum:" in quibus nostrum hoc argumentum docte adeo et copiose, adeo per omnia exquisite rimatus est et illustravit, ut injuriam tibi inferrem, lector, si te ocysus illuc non legarem. Habebis enim illic omnia ad Lydium lapidem examinata, quae nos tanti impares, et aliud prosequentes institutum, hic percurrimus ut occurrunt apud ipsos auctores, disputationum non morantes retinacula.

Alia eademque uberior de rebus istis sub Lucio rege, et mox inde gestis Malmesburii narratio lib. I. Gest. Reg. c. ii.

XXIII. Malmesburii librum, quem "De antiquitate Glastoniae" is ipse refert se condidisse, et e quo praedictae narrationes perhibentur sumptae, ego vel omnino non vidi, vel accephalum sane, et hac parte mutilum. Obvenit autem mihi in exemplari quodam libri sui "De regibus Anglorum," cc. circiter abhinc annos, bellis literis, sed mendose pluries, et malefide exarato, diversa in nonnullis, et in aliis luculentior admodum commemoratio; Malmesburii tamen labium atque genium apprime resonans. Quaesitis igitur antiquis aliis ejusdem exemplaribus manuscriptis, duo reperi Cantabrigiae¹; collatisque una istis omnibus, et loco toto, prout poterat, redintegrato: aequum censui e tenebris suscitatum in lucem dare; tum quod huic convenit argumento, et antiquae historiae; tum quod in impresso² Malmesburii codice, ideo forte quod ad regum gesta parum attineret, praetermissum sit. Sic autem ille in omnibus his manuscriptis, lib. I. ca. ii. post haec verba, "per eadem tamen cucurrit vestigia."

XXIV. Sed quia Kenewalchii tempora attingimus, et Glastoniensis coenobii se obtulit locus, ejusdem ecclesiae exortum et processum, quantum e strue monumentorum corradere poterō, repetens ab origine pandam.

Tradunt bonae credulitatis annales, quod Lucius rex Britannorum ad Eleutherium XIII. loco post beatum Petrum papam miserit, oratum ut Britanniae tenebras luce christiana praedicationis illustraret. Mactus animi rex, magnae prorsus laudis factum adorsus, ut fidem, quam tunc temporis pene omnes reges et populi persequerentur exhibitam: ipse ultro appeteret vix auditam. Venerunt ergo, Eleutherio mittente, praedicatores Britanniam, quorum in aevum duravit efficacia, quamvis longae sitis aetatis consumpserit nomina. Horum fuit opera, vetusta in Glastonia sanctae Mariae ecclesia, sicut fidelis per succidua secula non tacuit antiquitas. Sunt et illae non exiguae fidei literae in nonnullis locis repertae ad hanc sententiam: "ecclesiam Glastoniae non fecerunt aliorum manus, sed ipsi apostoli Chri-

sti eam aedificarunt." Nec abhorret a vero, quia si Philippus apostolus Gallis praedicavit, sicut Freculfus lib. II. cap. iv. dicit, potest credi quod et trans oceanum sermonis semina jecit. Sed ne videar per opinionum naenias lectorum expectationem fraudare, illis, quae discrepant, in medio relictis, ad solidae veritatis gesta enarranda succingar.

XXV. Ecclesia, de qua loquimur, quae pro antiquitate sui celebriter ab Anglis Caldecippe, id est, vetusta ecclesia, nuncupatur, primo virgea, nescio quid divinae sanctitatis jam inde a principio redoluit, spiravitque in omnem patriam, quamvis ex deformi, grandis reverentia, cultu. Hinc confluentium illuc populorum totis callibus undae: hinc opulentorum deposita pompa conventus: hinc religionum, et literatorum frequens perendinatio. Nam sicut a majoribus accepimus, Gildas, neque insulsus, neque infacetus historicus, cui Britanni debent, si quid notitiae inter caeteras gentes habent, multum annorum ibi exegit, loci sanctitudine captus. Est ergo ecclesia illa omnium, quas quidem noverim, in Anglia vetustissima, et inde cognomen sortita. In ea multorum sanctorum (quorum aliquot in processu notabimus) corporales servantur exuviae, nec a beatorum cineribus vacat ullus fani ambitus: adeo pavimentum lapide constratum: adeo altaris latera, ipsumque altare super et infra reliquiis confertissimis aggeruntur. Ubi etiam notare licet in pavimento, vel per triangulum, vel per quadratum lapides altrinsecus ex industria positos et plumbo sigillatos, sub quibus quiddam arcani sacri contineri, si credo, injuriam religioni non facio.

XXVI. Antiquitas et sanctorum congeries excivit reverentiam loco, ut vix ibi quis noctu praesumat excubias agere: vix interdiu excreescens flegma projicere: illusoriae foeditatis conscius toto cohorreat corpore. Nullus inter contiguum coemeterium, vel avem venatoriam advexit, vel quadrupedes induxit, qui sui vel rei possessae indemnitas abierit. Ferro vel aqua examinandi, si orationem ibi deposuerint, omnes quos praesens memoria complectitur, uno excepto, de salute sua tripudiarunt. Si quis e vicino aliquod aedificium locandum putasset, quod obumbratione sua lucem invideret ecclesiae, patuit ruinae. Satisque constat homines illius provinciae nullum sanctius vel crebrius juramentum habere, quam per veterem ecclesiam; nihil magis vitantes, metu celeris vindictae, quam pejerare. Labantem veritatem dictorum, quae proposuimus in libro, quem de antiquitate ejusdem ecclesiae scripsimus pro successu annorum, testimoniis fulciemus.

XXVII. Interim palam factum est merito dici caeleste in terris sanctuarium, tot sanctorum reconditorium. Quantum vero is locus fuerit etiam primatibus patriae venerabilis, et ad sepulturam desiderabilis, ut ibi potissimum sub protectione Dei genitricis operirentur diem resurrectionis, multa sunt indicio, quibus pro cautela fastidii abstineo. Illud quod clam pene

¹ 1. in Bibl. pub. 2. in Bibl. col. S. Trin.

² Francof. an. MDCI. p. 13. l. xx.

omnibus est, libenter praedicarem, si veritatem exculpere possem, quid illae pyramides sibi velint, quae aliquantis pedibus ab ecclesia illa posita, coemeterium monachorum praetextunt. [Vid. Usserii Primordia p. 112, 121, 122.] Procerior sane et propinquior ecclesiae, habet quinque tabulatus, et altitudinem xxvi. pedum. Haec prae nimia vetustate, etsi ruinam minetur, habet tamen antiquitatis nonnulla spectacula, quae plane possunt legi, licet non plene possint intelligi. In superiori enim tabulatu est imago pontificali schemate facta. In secundo imago regiam praetendens pompam, et literae *Dei. Sexi. et Blirpej.* In tertio nihilominus nomina *Pencper. Bantome. pinepze. In quarto Bate. pulpneb. et E-angleb.* In quinto, qui et inferior, est imago, et haec scriptura, *Logop. pearlicar. et Bpezden. Spelper. Lupugender. Beapm.* Altera vero pyramis habet xviii. pedes, et quatuor tabulatus, in quibus haec leguntur: *Lentepine Hedde. Epc. Bpezopneb. et Beopimarb.* Quid haec significant non temere definio, sed ex suspicione colligo eorum interius in cavatis lapidibus contineri ossa, quorum exterius leguntur nomina. Certe *Leropot* is pro vero asseritur, de cuius nomine quondam *Lorpeper beprith* dicebatur, qui nunc Mons Acutus vocatur. *Bpezden* a quo *Bpientacnol* et *Bpintimepr.* *Bpezopneb* et *Beoppapb* abbates ejusdem loci tempore Britonum, de quibus caeteris, quae occurrere poterint, exhinc liberiori campo exultabit oratio. [V. Usser. l. c. p. 1054.] Jam enim abbatum seriem, et quid, cuique, et a quo rege monasterio delegatum sit, sermo explicare contendet.

XXVIII. Ac primum de beato Patricio, a quo monumentorum series elucescere coepit, pauca libabimus. Saxonibus enim Britanno- rum infestantibus pacem, et Pelagianis eorum expugnantibus fidem, sanctus Germanus Antifidorensis contra utrosque suppetias tulit. Illos enim Alleluatico cantu fudit, et istos evangelicis et apostolicis tonitribus fulminavit. Inde in patriam meditatus reditum, Patricium ad familiare contubernium ascrivit, eundemque post aliquot annos Hibernensibus, jubente Coelestino papa, praedicatorem misit. Unde scriptum est in chronicis anno dominicae Incarnationis quadringentesimo xxv. sanctus Patricius ordinatur a Coelestino papa in Hiberniam. Item ccccxxxiii. anno Hibernia insula convertitur ad fidem Christi, praedicante sancto Patricio, cum multis mirabilibus. Ille igitur munus junctum gnaviter executus, et extremis diebus in patriam revertens, super altare suum Cornubiam appulit, quod usque hodie apud incolas magnae venerationis est, tum propter sanctitudinem, et utilitatem, tum propter infirmorum salutem.

Ita Glastoniam veniens, ibique monachus et abbas factus, post aliquot annos naturae cessit. Cujus assertionis omnem absolvit scrupulum visio cujusdam fratris, qui post obitum beati viri, jam nutante memoria utrum ibi monachus et abbas fuerit, cum de hoc frequens verteretur quaestio, tali confirmatus est oraculo. Resolu-

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tus enim in soporem, missus est audire quendam legentem post multa ejus miracula haec verba: "Hic igitur metropolitani pallii decoratus est sanctitate: postmodum vero hic monachus et abbas factus est." Adjecit etiam ut non integre credenti, literis aureis quod dixerat, scriptum ostenderet.

Excessit ergo Patricius anno aetatis cxi. incarnationis Domini cccclxxii. qui fuit annus, ex quo in Hiberniam missus est, quadagesimus septimus. Requiescit in dextero latere altaris vetustae ecclesiae, in pyramide saxea, quam argento vestivit posterorum diligentia. Hinc Hibernensibus mos inolitus, ad exosculandas patroni reliquias, locum frequentare: unde et sanctum Indractum et beatam Brigidam, Hiberniae non obscuros incolas, huc olim commeasse celeberrimus sermo est. Brigida relictis quibusdam suis insignibus, monili viz. pera et textilibus armis, quae adhuc pro sanctitatis memoria ostentantur, et morbis diversis medentur, utrum domum reversa, an ibi acceperit pausam, incertum. Indractum juxta Glastoniam martyrizatum, cum sociis septem postmodum in veterem translatum ecclesiam liquebit per narrationis consequentiam.

XXIX. Successit Patricio in abbatis regimine Benignus, sed quot annis incertum. Quis autem fuerit et quomodo patria lingua dictus non facete versus exprimunt, qui in epitaphio apud Forramerum scripti fuerunt.

Hoc patris in lapide Beonnae sunt ossa locata,
Qui pater extiterat monachorum hic tempore
prisco.

Hunc fore Patricii dudum fortasse ministrum
Fantur Hibernigenae, et Beonnam de nomine dicunt.

Quanta apud Deum gratiae fuerit et sit, et veteris quondam vitae, et novae in majorem ecclesiam translationis praeconantur magnalia.

XXX. Jam vero quanti hunc locum penderit magnus ille David, Menevensium archiepiscopus, celebrius est, quam ut nostro indigeat illustrari relatu. Ille antiquitatem et sanctitudinem ecclesiae divino comprobavit oraculo. Dedicationi enim ejus intendens, cum episcopis septem, quorum primas erat, ad locum venit, paratis autem omnibus, quae officii usus exposceret: nocte praecessura, ut putabat, festivitatem, somno indulgit. Omnes ergo sensus in quietem solutus, vidit Dominum Jesum assistere, causam adventus blande sciscitantem: quam cum ille incunctatus aperuisset, revocavit eum a sententia Dominus hoc dicto. Dedicatam a se dudum ecclesiam in honorem matris suae iteratione humana sacramentum temerari non oportere, simulque cum dicto, volam digito terebrare visus, haec subjicit, hoc haberet signum, repeti non debere, quod ipse anticipasset facere. Sed quia intentionis illius non tam fuerit audacia quam devotio, poenam non prologandam. Denique mane futuro cum in missa, "cum ipso, et per ipsum, et in ipso" dicturus esset, plenum ei salutis vigorem refundendum. His terroribus antistes somno excussus, sicut tunc ulcerosa sanie impalluit, sic

8 P

postea

postea veritati propheticae applausit. Sed ne nihil videretur egisse, aliam ecclesiam citato fecit et dedicavit opere. De hoc fane egregio et incomparabili viro, utrum ibi obierit, an in sede propria vitam finierit, incertum habeo. Nam viri religiosi, recordatione digni, eum cum beato Patricio esse affirmant, et Wallenses omni frequentatione et multiplici sermone proculdubio affirmant et corroborant, illud in medium proferentes, Bernardum episcopum semel et secundo eum quaesisse, et multis reclamantibus non invenisse. Hoc de beato David dixisse sufficiat.

XXXI. Multum temporis in medio, venit in Britanniam sanctus Augustinus a beato Gregorio directus, anno incarnationis Domini dxcvi. cujus praedicationis commilitonem Paulinum ex archiepiscopo Eboracensi Roffensem episcopum, asserit majorum traditio, ecclesiae contextum dudum, ut diximus, virgeae, ligneo induisse tabulatu, et plumbo a summo usque deorsum cooperuisse. Egit nimirum praedicabilis viri solertia, ut nihil decederet sanctitati, et plurimum accederet ornatui. Et certe solet ecclesiarum cultus augustior quolibet brutas mentes ad orandum illicere, quamlibet cervicositatem ad supplicandum inflectere.

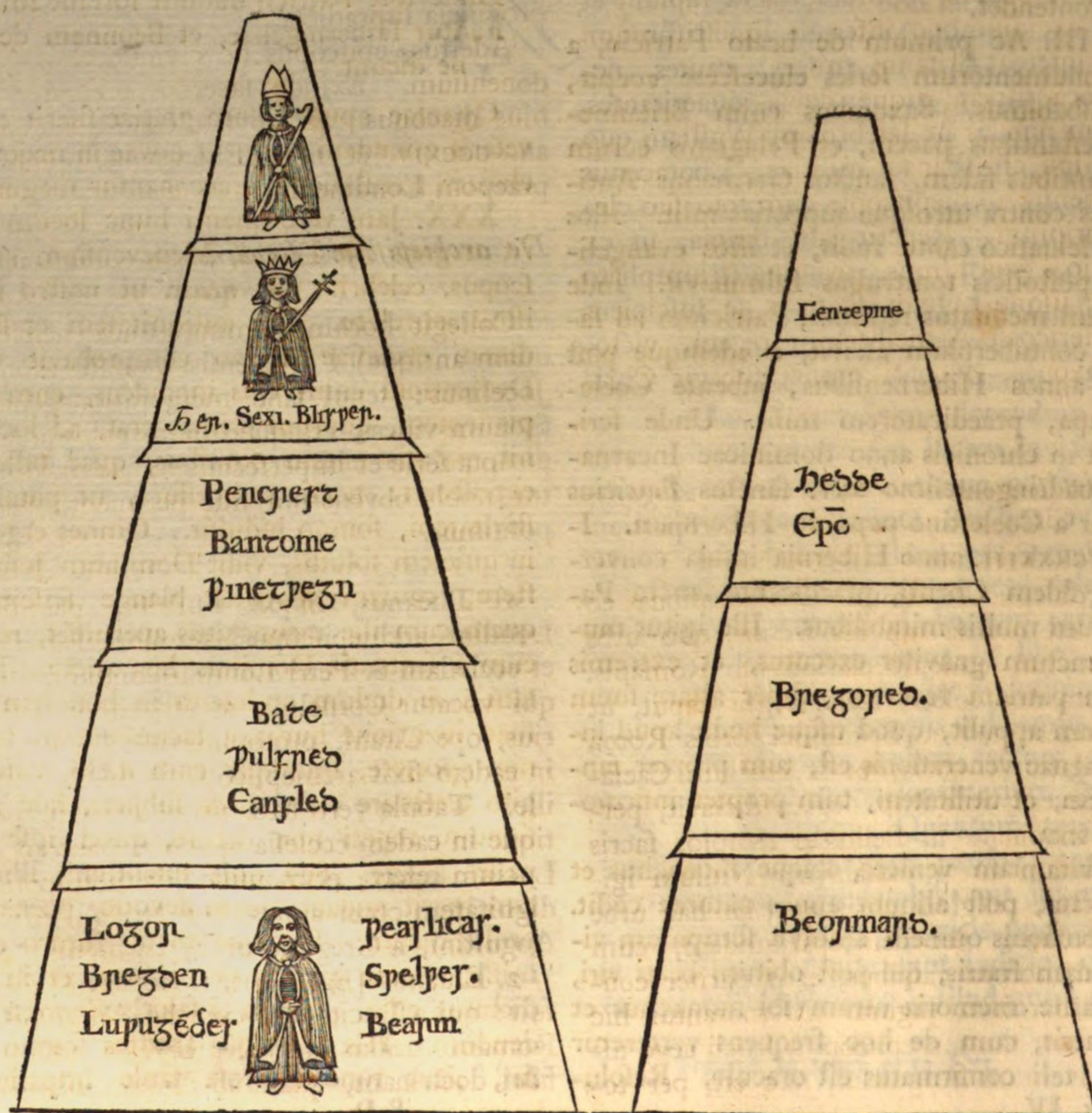
XXXII. Anno Incarnationis dci. id est, adventus beati Augustini quinto, rex Domnoniae terram, quae appellatur Ineswithrin, ad ecclesiam vetustam concessit, quae ibi sita est, ob petitionem Worgret abbatis in quinque cassatis. Ego Mawron episcopus hanc chartam con-

scripsi. Ego Worgret ejus loci abbas subscripsi.

Quis iste rex fuerit, schedulae vetustas negat scire, veruntamen quod Britannus fuerit, hinc praesumi potest, quia Glastoniam sua lingua Ineswithrin appellavit: sic enim eam Britannice vocari apud eos constat. Illud quoque animadvertere par est, quanta antiquitatis sit ecclesia, quae tunc etiam dicebatur vetusta. Fuerunt sane ejusdem abbates Britannicam barbariem nominibus praetendentes, praeter Worgret, Lademund, et Bregoreto: praelationis eorum tempora sunt in obscuro, sed nomina illorum et dignitates in majori ecclesia, prodente secus altare pictura, sunt in propatulo. Felices igitur ejus loci habitatores, quos ipsa sanctuarii reverentia ad morum compositionem invitat. Nullum de his crediderim deperire caelis, quos egressos corpore, tot patronorum excipit laus vel excusatio.

XXXIII. Anno dominicae Incarnationis dclxx. Kenwald, qui et Kenwalchius, regni sui xxix, dedit Berthwaldo Glastoniensi abbati Ferramere, ii. hidas, archiepiscopo Theodoro interveniente. Hic idem Berthwaldus, renuente rege et dioecesis episcopo, Glastoniae renunci-ans, ad regimen monasterii Raculfs secessit, quocirca Berthwaldus et fama religionis nominatissimus, et gentis nobilitate praeclarus, quippe fratris Ethelredi regis Merciorum filius, loci opportunitate Cantuariæ proximus, Theodoro archiepiscopo decedente, illius successit cathedrae. Haec de Glastoniensis antiquitate ecclesiae me dixisse sufficiat.

Pyramidum dictarum specimen juxta Malmesburii descriptionem.



De primis Britannorum metropolitanis praesulibus, quos inferior aetas archiepiscopos appellavit.

Adjungam ad caliginosa ista secula pertinentia, analecta quaedam de metropolitanis Britonum praesulibus, qui post Lucii aetatem, sed ante Augustini primi Cantuariensis archiepiscopi adventum, in historiis nostris deprehenduntur, secundum triplicem provinciarum divisionem a Monumetensi positam, viz. Londinensem, Eboracensem, et urbis Legionum. De his autem, sicut et de ipsa religione, post Lucii seculum, rara apud auctores mentio, gravisque ea plerunque et lugubris. Agitantibus enim hic imperii clavum Romanis infidelibus; saevienteque interea furore Dioclesiano, quo martyrio coronatur S. Albanus, absorpta pene est ecclesia, et sub modio positum lumen evangelii. Licet etiam respiraret aliquantisper Constantini magni beneficio, novus tamen mox se ingerit inimicus. Abductis enim a Maximo, imperatore hic constituto, pube potiore et praesidiario milite in militiam transmarinam, atque eis nunquam remeantibus, sed in Gallia Armorica, quae ab ipsorum nomine Britannia postea nuncupata est, sedes suas collocantibus, natale eorum solum indigenis spoliatur defensoribus; et a Romanis haud multo postea abdicatum, hosti derelinquitur et praedonibus. Populantur jam tum omnia Pictus atque Scotus: et cum adversus saevos istos lupos, immaniores a Britannis invocarentur tigrides illi, in auxilium, Saxones; ambo tandem hostes fiunt, grassantesque pariter in imbellem populum, sacra rapiunt et profana, excidiumque inferunt funestissimum. Fugiant interea Britanni miseri, cautes, nemora, loca aspera atque devia quaeritantes. Catervatim nobiles in latebrosam Walliam quo et duces ipsi christianae militiae, Eboracensis et Londinensis archiepiscopi, cum toto suo clero se proripiunt. Repetit jam omnia, ut ex postliminio, gentilismus, ovatque triumphato evangelio, usque causam suam in se suscipiens Deus misericors, Aethelbertum regem, victoresque Saxones, vincenti omnia subegit Christo.

De archiepiscopis Eboracensibus ante Augustinum. Circa an. Dom. ccviii. Spartian. Cambden. Cod. lib. III.

De archiepiscopis igitur Eboracensibus eo obscurior est notitia sub his seculis, quo urbs ipsa Eboracum emicuit clarior sub Romanis. Erat autem non solum totius regni caput, ut Albinus refert, sed et Britannici orbis Roma altera, palatium, curia, et praetorium Caesaris; quo Severus ipse imp. legem dictavit, peractisque, inopinate in Bellonae templo, sacris ethnicis, vitam brevi exhalavit. Nullum igitur profligatae religioni christianae in hac urbe tunc latibulum; nec deinceps quidem, cum exutis Romanorum fascibus, eam pariter conterebat barbarorum jugum. Memorantur hic itaque quatuor tantum episcopi a Lucii aevo usque ad adventum Augustini, hoc est, per to-

tos cccc. annos, licet prima videatur sedes et Britanniarum patriarchatus, viz.

1. Sampson, qui ab ipso Lucio collocari dicitur primus hic episcopus. Suspectam autem habet rei fidem Godwinus praesul, quod nondum susceptus esset apud veteres mos iste Hebraeorum, sanctorumve Christianorum nomina usurpandi. Cedo, sed et Lucio ipsi obvenisse videtur post conversionem suam mutatio nominis, ut alias memoravimus.

2. Taurinus, quem huc translatus ferunt e mandato Constantii Chlōri imp. qui purpuram sumpsit circa an. Dom. ccciv. [Godwin. de praes. Eborac.]

3. Pyramus, ab inclyto Arthuro rege, qui floruit anno dxx. constitutus.

4. Todiacus, veterum Britannicorum archipraesulum hic novissimus; qui abducens una suum clerum, in Cambriam profugit cum Theona, archiepiscopo Londinensi, A. D. dlxxxvi. Nec Eboraci postea quisquam sedit episcopus, vel archiepiscopus usque an. dcxxv. quo Paulinus Saxones ibidem degentes ad fidem convertit, et eorum denuo fit archiepiscopus.

Exiguo autem huic quatuor episcoporum catalogo a Godwino praesule exhibito; ego quintum addere, et forte aliis certiolem, non dubitabo. Eborium scil. qui in concilio Arelatenſi I. an. Chr. cccxiv. inter alios Britanniae episcopos et praelatos adfuit, primusque, et ut videtur primas, subscripsit in hunc modum.

Eborius, episcopus de civitate Eboracensi, provincia Britanniae.

Restitutus, episcopus de civitate London. provincia supradicta.

Adelfus, episcopus de civitate Colonia Londonensium. Exinde sacerdos presbyter Arminius diaconus. [Vide hoc concil. hic infra in an. cccxiv. et nota Eboracensem episcopum praeponi Londinensi.

De archiepiscopis Londinensibus ante Augustini adventum.

Collegit horum nomina (unde nescio, nec quam antique) Furnalensis quidam monachus, Jocelinus: tenui sane memoratone, ut apud Stouum videas, et, quod in re caliginosa solet, dirupta serie et imperfecta. Quae fortuito igitur nobis obvenierunt huc pertinentia, nos apposuimus.

1. Theanus, inquit Furnius, primus fuit Londini archiepiscopus, tempore Lucii regis; et ecclesiam S. Petri Londini condidit, in loco, qui vocatur Cornehill, id est, mons frumentarius, ope Citani, protopincernae Lucii regis, et in eadem fixit archiepiscopatus sui sedem. Sic ille. Tabula vero MS. neque pridem, nec antique in eadem ecclesia appensa, haec ad ipsum Lucium refert; et mansisse illic metropolitanam dignitatem cccc. annos, hoc est, ad adventum Augustini, a Gregorio missi, perhibet.

2. Eluanus [Bal. Cent. i. ca. xxvii.] secundus fuit: qui a Lucio rege cum Medvino socio suo Romam missus ad Eleutherium pontificem, fidei doctrinam, quam ab Arimathaeis patri-

bus

bus in Avalanenſi collegio didicerat, confirmatam reportavit et auctiorem reddidit: fluctuantem regem, Druidarumque plurimos eadem imbut, et prope eccleſiam antedictam bibliothecam condidit. Floruit anno CLXX.

3. Cadar.

4. Obinus.

5. Conan.

6. Palladius.

7. Stephanus.

8. Iltutus, al. Iltuta, ex temporis diſcrepan- tia non videtur idem fuiſſe Iltutus, qui Mor- ganenſis dictus eſt, et S. Germani Altiſiodoren- ſis diſcipulus.

9. Theodwinus, al. Dedwin.

10. Theodredus.

11. Hilarius.

12. Reſtitutus, quem ne nominavit Furnius, e Britannia vocatus ad Arelatenſe in Galliis con- cilium ſub Constantino mag. quod Binius re- poſuit in an. Dom. CCCXXVIII. Baronius^v in CCCXIV. mendose Godwinus ſub Constantio, et in anno CCCL. eidem ſubſcripſit in hunc mo- dum. "Ex provincia Britanniae, civitate Lon- dinenſi Reſtitutus epiſcopus." Vide. Referunt Godwinus et Balaeus hunc fuiſſe hominem conjugatum, redeuntemque a concilio Arela- tenſi anno Chriſti CCCL. attuliſſe ſecum in Bri- tanniam concilii illius canones, inter quos hunc unum numerat Balaeus. "Si diaconi in ordi- natione ſua proteſtentur ſe uxores ducturos, ut liceat illis id ipſum facere, atque ſimul in miniſterio permanere." Non reperitur hodie in impreſſis exemplaribus. Vide infra notas noſtras ad hoc concilium in an. Chr. CCCXIV.

13. Inter Reſtitutum iſtum, clarum an. Dom. CCCXXVIII. et, qui ſequitur, Guitelinum, floren- tem an. CCCXXXV. tantum habetur temporis in- tervalli, ut medios aliquot fuiſſe epiſcopos, non eſt dubium, licet minime conſtet de nominibus. Veriſimile etiam eſt, ut e pluribus Britanniae epiſcopis, qui Ariminenſi ſynodo interfuerunt anno Chriſti CCCLIX. Londinenſis unus fuit, eo- rumque unus, cui de ſuo proprio ita luculenter compete- bat, ut oblatam ab imperatore anno- nam recuſaret, cum tres alii e Britannia epi- ſcopi eam ex inopia receperunt: de quo Seve- rus (apud Baronium an. CCCLIX. § ii.) lib. II. "Ita miſſis per Illyricum, Italiam, Africam, Hiſpanias, Galliasque magiſtris officialibus, ac- citi atque tracti quadringenti, et aliquot am- plius occidentales epiſcopi, Ariminum conve- nere, quibus omnibus annonas et cellaria dari imperator praeceperat. Sed id noſtris, id eſt, Aquitanis, Gallis, et Britannis indecens viſum; repudiatis ſiſcalibus, propriis ſumptibus vivere maluerunt: tres tamen ex Britannia, inopia proprii, publico uſi ſunt, cum oblatam a cae- teris collationem reſpuiſſent; ſanctius putantes ſiſcum gravare quam ſingulos." Ex his per- ſpicuum eſt, multos fuiſſe e Britannia (noſtra, non tranſmarina, quae id nomen nondum aſſe- cuta fuit) in hac ſynodo epiſcopos, tantarum- que omnes facultatum, ut praeter tres oblatam ab imperatore annonam recuſarent.

14. Faſtidius, [Bal. Cent. i. ca. xli.] alias dictus Faſtidius Priſcus, apud Britannos natus, chriſtianis imbutus moribus, in exponendis ſcripturis feliciter claruit, et Londinenſis factus, ut perhibent, metropolites, per univerſam Bri- tanniam evangelium dicendi majeſtate praedi- cavit. "Faſtidius," inquit Gennadius Catal. vir. illuſtr. p. 321. qui floruit anno CCCXCII. "Britanniarum epiſcopus, ſcripſit ad Fatalem quendam de vita chriſtiana librum unum; et alium de viduitate fervanda, ſana et Deo digna doctrina." Claruit ſub Honorio et Theodoſio an. Chriſti CCCXX. corruente ex quotidianis diſſidiis Britannorum republica.

15. Vodinus fraude Hengiſti Saxonis clam peremptus eſt an. CCCXXXVI. quod inſtar Jo- hannis Baptiſtae, Vortigerno regi Britanniae, tum adhuc conjugato, nobiliſſimisque tribus fi- liis ex uxore gaudenti, Rowenam Hengiſti fi- liam prohiberet ducendam.

16. Theonus, Gloceſtrenſis hic epiſcopus, inquit Godwinus, Londinum tranſlatus fertur anno DLIII. anno vero DLXXXVI. aſſumpto ſe- cum univerſo clero, in Walliam dicitur ad po- pulares ſuos profugiſſe, una cum Thadiaco E- boracenſi archiepiſcopo, ut ſupra memoravi- mus.

De archiepiſcopis Menevenſibus ante adventum Auguſtini.

E bellorum miseria, temporumve edacitate fieri videtur, ut ſi Lucii regis aevo Legionum urbs in Cambria ſuum acceperit archiepiſco- pum, nomen ejus (etiam et ſucceſſorum uſque ad Dubricium) oblivione interierit.

1. Dubricius autem, magnus ille, et inter divos poſtea celebratus, cum verbum Dei in- fraſta ſedulitate diu praedicafſet, Pelagianam- que haereſin vehementius contriviſſet, Landa- venſis primum fit epiſcopus, et auctoritate ſyn- odi ſub an. Dom. DXII. ad urbis Legionum archiepiſcopatum promovetur, cathedramque ejus metropolitanam inde tranſtulit ad Landa- viam. Dicitur duodecim monaſteria conſtituiſſe, monachosque docuiſſe, ut e labore manu- um victum quaerent, quod, more orientali- um et Africanorum, eos feciſſe conſtat in pri- ſco MS. codice de vitis ſanctorum Cambriae. Ait autem Matthaeus Florilegus: "S. Sam- pſonem Eboracenſem archiepiſcopum, et S. Du- bricium urbis Legionum archiepiſcopum in Bri- tannia floruiſſe anno gratiae DVII." hoc eſt, quinque annos ante praedictam ſynodum. Al- lii etiam eum factum eſſe illius provinciae ar- chiepiſcopum perhibent a SS. Germano et Lu- po; confirmante hoc rege Aurelio Ambroſio: poſt cujus mortem Dubricius fertur Utherum primo, et Arthurum poſtea regni inſigniviſſe diademate, et exutis jam tum infulis archiepi- ſcopalibus eremiticam ambiviſſe ſolitudinem.

2. S. David protinus conſtituitur ſucceſſor e- jus, anno ſcil. DXVI. licentia et Arthuri regis, archiepiſcopatus ſedem, quam Dubricius ab ur- be Legionum tranſtulerat ad Landaviam, ille

^v Baron. an. CCCXIV. 35. in archiep. London.

vexit in Meneviam: eademque tenuit, ut Giraldus ait, 65. annos; hoc est, usque an. Dom. DLXXXI. qui praeceffit adventum Augustini 16. annis. Hic idem David fuit, quem Cambrenses hodie tanti faciunt.

3. Cenac, alias Kinotus, discipulus, ut videtur, Dubricii, a Paternensi episcopatu quodam Cambriae, post mortem S. Davidis, in archiepiscopatum Meneviae transfertur.

4. Eliud, qui etiam Teliaus, seu Thelias appellatur, Dubricii item discipulus, et in Landavenfi ecclesia successor: post condiscipuli sui Kinoti exitum, ad Menevensē promovetur cathedram. Clarus inter sanctos Landavenfes, ut supra videas in illis synodis.

Incertum est quamdiu rexit hanc provinciam aut Cenac supradictus, aut Eliud iste seu Thelias: sub tempore autem alterius eorum venisse in Britanniam censeo Augustinum: qui licet a Gregorio Magno, Romano pontifice mitteretur, et praecepto ejus ab Etherio Arelatenfi episcopo (ut Bonifacius papa et Beda noster referunt) Anglorum ordinaretur episcopus, et ab eodem Gregorio pallio donaretur plenae insigni potestatis, cui et omnes subjecit Britanniae sacerdotes, ut vol. I. dicitur in epistola ejus xxiv. retinuit tamen et tuebatur ecclesia Menevensis, seu Caerlegionis, pristinam suam dignitatem, subdique noluit aut Augustini cathedrae, aut Romani ipsius archipraefulis. Satis de hoc liquet apud ipsum Bedam, luculenter autem in responsione abbatis Banchorensis ad ipsum Augustinum petentem subjectionem ecclesiae Romanae: quem supra vide.

5. Tuebantur et episcopi successores suam hanc Meneviae metropoliticae jurisdictionem usque ad Sampsonem illic archiepiscopum, qui floruit circa an. Dom. DCCCC. Grassante vero sub eodem in illa patria funestissime morbo epidemico, qui ingentem plebis numerum devoraverat; pars cleri maxima sibi metuentes, archiepiscopo suo auctores extiterunt, ut ad consanguineos suos in Britannia Armoricana una cum ipsis commigraret. Quod cum fecisset, ille brevi apud eos constitutus est Dolensis episcopus, palliumque, quod abstulerat Menevense, suis illic dereliquit successoribus: qui post longam litigationem eo uti a papa prohibentur. Orbat in hunc modum suo pallio Menevenses antistites, et praeterea pressi egestate, ab archiepiscopali titulo deciderunt: eam tamen auctoritatem semper retinuerunt, suffraganeos suos episcopos consecrantes, et alia munia obeuntes, nulla professione ecclesiae Cantuariæ facta usque ad tempus regis Henrici I.

Tunc autem Bernardo existente episcopo Menevensi, Hubertus, Cantuariensis archiepiscopus, potentia et auxilio regis fretus, crucem interdum sibi praeferrī per Cambriae fines attentaverat, eandemque asserens ad suam pertinere ditionem, litem defert ad Remense concilium: ubi cadens Bernardus inops, subjectionem Cantuariæ ecclesiae, reclamans licet, coram Eugenio papa profiteri cogitur. De hoc inter alia multa, sic Giraldus [apud Godw. in episc. Men. de Bernard. pa. 606.] Menevensis postea et ipse episcopus. "De duabus autem sedibus istis,

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de quibus facta est mentio, Cantuariensi videlicet et Menevensi, quod mihi videtur juxta moderna tempora, paucis edisseram. Illinc hodie regum favor, opum affluentia, suffraganeorum antistitum opulenta numerositas, literatorum et jurisperitorum copia multa. Hinc autem omnium istorum defectus et jus remotum. Quapropter nisi per regnorum forte mutationes, rerumque vicissitudines magnas, quae variis et inopinatis eventibus accidere solent, difficilis erit antiqui juris recuperatio."

Sed nec istis, quae in Remensi concilio acta sunt, sedata est quaestio. Giraldus enim in episcopum Menevensē electus, Romam petit anno MCC. Et solícite illic tractans de metropolitano suae ecclesiae jure contra Hubertum, Cantuariæ archiepiscopum, ad ejus invectiones in pleno consistorio respondet, sed (pecunia, ut supponitur, intercedente) causa cadit et dignitate; et bis victi jam Menevenses praefules, in arenam ultra non prodierunt.

Extinctus jam est igitur Britannicorum metropolitaram radius ultimus, qui cccc. uti fertur, annos ante ingressum Augustini, et dc. postea, florens alias, alias fluctuans et oppressus perduravit. Perdurabant etiam una cum eodem inter lolia et corruptae ecclesiae subsequentis zizania puri tritici spicae plurimae, usque in permulta secula, ut superius in hoc opere sparsim videris, et haec quidem a primaevis patribus, etiam ab apostolis ipsis, aut discipulis suis seminatae: quae licet inimici hominis falce saepissime sint detonsae et excisae, repullulaverunt denuo, et virescunt hodie, Deo gratias, florentissime.

6. Placeat ut ad memoriam et honorem vetustissimae istius metropoliticae ecclesiae, quae a triplici sede, primum Caerlegionensis, postea Landavenfis, et mox inde Menevensis sanctique Davidis nuncupata est, ea referam, quae ad finem belle manuscripti codicis annalium Gisleberti deprehendi, in hunc modum, viz. "Ab urbe Legionum," vulgo olim Caerleon, "usque ad Meneviam, quae est ad occidentem Demetiae supra mare Hibernicum sita, translata est sedes metropolitana tempore S. David archiepiscopi per regem Arthurum: ubi steterunt 13. archiepiscopi usque Sampsonem. Hic etiam ingruente flava peste per Cambriam, quam ictericiam vocant, sumpto secum pallio, Armoricam Britanniam adiit: et sede Dolensi praefedit; a quo tempore usque ad tempus Henrici I. regis Anglorum, federunt Meneviae, quae nunc David dicitur, undecim episcopi pallio carentes (forte paupertatis causa) cum tamen usque ad hoc tempus episcopi Meneviae a suis suffraganeis Wallensibus ibidem fuerunt consecrati; nulla penitus professione vel subjectione facta alteri ecclesiae. Caeteri succedentes episcopi, regio urgente mandato, Cantuariæ consecrationem suscipiunt, in cujus subjectionis signum Bonifacius, Cantuariæ archiepiscopus, tempore Henrici II. in ecclesiis cathedralibus Cambriae, primus omnium Cantuariensium archiepiscoporum missam solenniter celebravit: ita quod hodie in tota Anglia duo tantum sunt primates, scil. Cantuariensis et Eboracensis."

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7. Restat

7. Restat ut istius archiepiscopatus extensionem, et quos episcopos habuit suffraganeos, referamus. Memorantur fuisse septem numero: sed hi aliter sub introitu Augustini, aliter sub egressu Sampsonis, Menevensis archiepiscopi, in Britanniam Armoricanam, recitantur. Primores habes in notis nostris ad Augustini synodum an. Dom. DCI. ubi intelligendum est Vicensensem dioecesim, quae tunc e septem illis uni paruit antistiti, in quinque postea divisam esse episcopatus: viz. Lichfeldensem, Dorcestrensem, Legecestrensem, Sidnacestrensem, et Wigornensem. E quo liquet, hanc Meneviae, alias Caerlegionis, archiepiscopalem provinciam, tantum

olim possedisse territorii, quantum ad duodecim, ex * Gregorii vetustiorumque institutione, suffraganeos episcopos alendum sufficeret. De posterioribus autem septem episcopis suffraganeis, qui huic sedi, sancti, ut vocant, Sampsonis tempore florere, haud bene convenit apud auctores: aliter enim istos recitat Roge. Hovedenus: aliter ex archivis Godwinus praeful, sed Hovedeno potius fidem adhibens.

En una, cum vetustioris, tum recentioris temporis episcopales sedes, Caerlegionensi Menevensive metropolitano subditas, viz.

Tempore introitus Augustini, primi Cantuariæ archiepiscopi, an. Dom. DXCVII.

Herfordensis.
Tavenfis, al. Lantavenfis.
Paternensis.
Banchorensis.
Clucensis, al. Elvienst.
Uniacens. al. Wiccens.
Morganensis.

Tempore Sampsonis praedicti, hoc est, circa an. Dom. DCCCCXX.

Juxta Hovedenum.

Juxta Archiva.

Landavenfis.	Landavenfis.
Paternensis.	Bangorensis.
Bangorensis.	Affavenfis.
Affaphensis.	Exuniensis.
Cestrensis.	Bathoniensis.
Herefordensis.	Herefordensis.
Wigornensis.	Fernenfis in Hibernia.

Harum intra Cambriam trans Sabrinam sitae sunt praeter Menevensensem ipsum, et quae in hanc coaluit, post occisum a plebe suum praefulem Paternensem, Landavenfis, Banchorensis, et Affaphensis sedes: extra vero in confiniis apponebantur Cestrensis, Herefordensis, et Wigornensis episcopatus. Vide plura apud Hovedenum in fine anni Domini MXCIX. Johannis regis primo: et epistolam ibidem Eugenii papae de dignitate metropolitanae ecclesiae S. David, quae etiam habetur in II. tomo istius operis, sub praedicto anno.

Hujus archiepiscopatus memoriam libentius colo, quod ante adventum Augustini eximia pollet antiquitate: nullamque vel ab eo, vel ejus successoribus ordinationem acceperit, subjectionemve eidem praestiterit usque ad tempus, ut diximus, Henrici I. qui cum Walliae principatum suae subjugasset ditioni, Walliae clerum suo etiam subdi voluit archipraefuli. Nihil autem ut fileam, quod ad alterius utriusque ecclesiae praerogativam spectet; perhiberi fateor, Oudoceum, tertium Landaviae episcopum, non a metropolitano suo Menevensi consecrationem accepisse, sed ab archiepiscopo quodam Doroberniae: a noverca scil. non a matre. Quis autem iste fuerit archiepiscopus, magna me tenet dubitatio. Non agnoscunt enim historici nostri archiepiscopum Doroberniae, hoc est, Cantuariæ, ante Augustinum: quem probationes non fuisse ordinatum ferunt ante an. Dom. DXCVIII.

Qui igitur fiat ut Oudoceum ille consecraret, non ariolor. De tempore etiam nihil comperi. Sed post translationem S. Dubricii, protopraefulis Landaviae, ad archiepiscopatum Meneviae,

auctoritate synodi an. Dom. DXII. Thelias secundus illic episcopus continuo surrogatur, succeditque tertius Oudoceus, sed incerto tempore. [V. Balaeus cent. I. ca. LVIII.] Quaerendum igitur quamdiu Thelias sedit. Coepisse dicitur sub an. Dom. DXII. et senex claruisse an. DL. quibus etiam si x. praeterea addiderimus, episcopatu exiisse videbitur circa XL. annos ante ipsius Augustini consecrationem. Cogitabimusne Landavensem cathedram toto hoc vacasse tempore, aut Oudoceum non interea consecratum esse? Minime. Ego eum fuisse episcopum circa an. Dom. DLX. opinatus sum, hac adductus ratione: quod a Dorobernia rediens consecratus, recipi dicitur a Mourico rege Glamorgantiae, una cum regina, proceribus, clero, etc. et solenni processione in ecclesiam deduci, Quin et Mouricum regem * episcopo dedisse aedes episcopales Mahern dictas circa an. Dom. DLX. refert Godwinus praeful, reor e Landavenfi codice, in vita Oudocei.

Hic fusius haereo, ut quae de Oudocei aevio obiter posui in sequentibus conciliis, istis, si feliciter, tuear rationibus. Non habeo tamen, quod de Doroberniae jam tum adferam archiepiscopo, nisi in Cantio archiepiscopalem sedem (temere) cum Giraldo ponerem sub Britonibus. Haud videtur sane verisimile, ut ingens adeo fidus in Britannica ecclesia, Oudoceum dico, quem inter majores numerabant sanctos, relicto clero patrio, ab inimico extero et longe dissito consecrationem peteret, et apud suos denuo versaretur. Penes doctiores sit judicium: ego, pace tua, lector haec in apparatu suggero, quae in ipso opere praetermissi.

* V. supra XXIV. Greg. epist.

† Godwin. in episc. Menev.

‡ Intelligo Oudoceo.

Sed ut me recipiam: periit, sicut diximus, post Henrici I. regis seculum, Menevensis iste archiepiscopatus: et in crassas una abiit caligines omnis pene notitia veterrimae ecclesiae Britannicae: quae tribus olim metropolitanis florens cathedris^a "nullius subdebatur patriarchae legibus: sed in orbe suo hoc Britannico, dignitatem illam prae se ferebat. Non caecutivit igitur^b Malmesburius, cum Cantuariensem archipraefulem ex antiquo ritu patriarcham dixerit. Nec fateri dedignatus est quodammodo Romanus ipse pontifex Urbanus II. qui cum Anselmum Cantuariæ archiepiscopum ad Barrense concilium an. Dom. ... fortuito venientem, Graecorum errorem, Spiritus Sancti pro-

cessionem a Deo Filio denegantium, strenue refellentem audivisset, laetus de adventu ejus, dixisse fertur apud^c Malmesburium, includamus hunc in^d orbe nostro, quasi alterius orbis papam. Vel ut^e alii pluribus: "Hunc," inquit Urbanus, "pro magistro teneamus et quasi comparem, veluti alterius orbis apostolicum et patriarcham jure venerandum censeamus." ^f Levatus igitur ab assidentibus ad confessum papae Anselmus ducitur, et sedere jussus est juxta Romanum archidiaconum, cui ante papam sedere moris fuit. Vide quae praeterea de hoc libavimus in notis nostris ad responsionem abbatis Banchorensis an. Dom. DCI. et ad leges etiam Hoeli Dda in an. DCCCXI.

^a E MS. Bernesii doctoris pontificii § iii.

^b In prolo. lib. de Gest. Pont.

^c Gest. Pont. lib. I. in vita An-

selmi. ^d Al. *corona* i. circuitus, quo papa sedebat.

^e Capgrav. et Antiq. Brit. eccl. ca. de privileg. Cant.

^f Malmes. qua supra.

Epistola Lucii regis ad Eleutherium, episcopum Romanum, qua se expetit christianum fieri. [Circ. an. Dom. CLXXXV. ex Spelm. vol. I. p. 31.]

NUSQUAM, quod sciam, extat haec epistola; de ea autem sic Beda meminit. "Anno ab incarnatione Domini CLVI. Marcus Antoninus Verus, decimus quartus ab Augusto, regnum cum Aurelio Commodus fratre suscepit. Quorum temporibus cum Eleutherius, vir sanctus, pontificatui Romanae ecclesiae praeesset, misit ad eum Lucius, Britannorum rex epistolam, obsecrans ut per ejus mandatum christianus efficeretur: et mox effectum piae postulationis consecutus est, susceptamque fidem Britannii usque in tempora Dioclesiani principis inviolatam, integramque quietam pace servabant." Haec Beda, cui adjungam illa Mariani Scoti "sub an. Dom. CLXXVII. duodecimus ab apostolis succedit Eleutherius XVI. anno Antonini Veri." Hucusque, inquit ille, Methodius; et de suo addit: "Lucius Britanniae rex ab Eleutherio papa per epistolam christianum se fieri impetrat." Sic alii quamplurimi.

De tempore scriptionis hujus epistolae et conversionis Lucii multipliciter discrepatum est inter auctores, ut mox infra videas in notis ad epistolam Eleutherii. Sed cum omnes alii Lucium unanimiter ferunt suscepisse fidem ab Eleutherio, Nennius ille sive Gildas quartus, qui senex floruisse dicitur anno Dom. DCCCLX. Euaristum papam rei ponit auctorem, LX. pene annos ante pontificatum Eleutherii martyrio coronatum. "Lucius," inquit, "Britannicus rex cum universis regulis totius Britanniae, baptismum susceperunt, missa legatione ab imperatoribus Romanorum, et a papa Romano Euaristo." Irrepsit forte scriptoris vitio Euaristo pro Eleutherio: sed numquid plures tunc imperatores, aut christianis aliquis non infestus? An illud voluit, quod baptismum susceperunt eo tempore, quo imperatores Romani legationem alia de causa miserunt in Britanniam? Flocci penditur, fabulator enim iste habitus, et a Polydoro quidem egregius.

Eleutherius Faganum et Deruvianum legat in Britanniam. Hi fidem ferunt: regem Lucium, et cum regulis populum baptizant: clerum ordinant: tres metropolitanos, et viginti octo episcopos instituunt. [Circa an. Dom. CLXXXV. Ibid. p. 32.]

ALIAS nec semel hoc prius dictum, sed diversis modis; postulat jam denuo locus iste ex alio iterandum. Matt. Westmonasteriensis audi.

"Anno gratiae CLXXXV. Eleutherius papa XV. sedit in cathedra Romana annis 15. mensibus 6. et diebus 5. et cessavit sedes diebus 6. Eodem tempore Lucius Britannorum rex ad eundem papam epistolas direxit, petens ab eo ut christianus efficeretur. Beatus vero pontifex, comperta regis devotione, misit ad illum doctores religiosos Faganum et Deruvianum, qui regem ad Christum converterent, et lavacro salutari abluerent. Quod cum factum fuisset, concur-

rerunt ad baptismum nationes diversae, exemplum regis sequentes, ita ut in brevi nullus inveniretur infidelis. Beati igitur doctores, cum per totam Britanniam paganismum delevisent, templa, quae in honorem plurimorum deorum fundata fuerant, uni Deo, ejusdemque sanctis dedicaverunt, diversisque ordinatorum coetibus repleverunt. Constitueruntque in diversis civitatibus regni viginti octo episcopos, qui tribus archiepiscopis et sedibus metropolitanis submittebantur.

Prima sedes Londini erat, cui submissa est Loegria et Cornubia, quas provincias Sabrina a Cambria sejungit.

Secunda

Secunda apud Eboracum, cui submissa est Deira et Albania, quas magnum flumen Humbri a Loegria fecernit.

Tertia in urbe Legionum, cui subjacuit Cam-

bria, id est Wallia, quam Sabrina a Loegria fecernit. Hanc urbem super Oscam fluvium in Glamorgantia olim fuisse sitam, veteres muri et aedificia protestantur."

Eleutherius papa acta omnia a Fagano et Deruviano probat et confirmat.

[Circa ann. Dom. CLXXXV. ex Spelm. p. 32.]

DESIDERATUR hujus confirmationis pagina, sic autem, cum multis aliis, Mat. Westmonast. "Anno gratiae CLXXXVI. beati antistites Faganus et Deruvianus Romam reversi, quae fecerant, impetraverunt a papa beatissimo confirmari. Quibus peractis redierunt

in Britanniam praefati doctores cum aliis quamplurimis, quorum doctrina gens Britonum in fide Christi, in brevi fundata refulsit. Istorum autem nomina et actus in libro reperiuntur, quem Gildas historicus de victoria Aurelii Ambrosii conscripsit."

Rex Lucius ecclesias et viros ecclesiasticos praediis donat: ecclesias etiam cum suis coemeteriis liberas facit, et confugientibus asyla. [Ann. Dom. CLXXXVII. ibid. p. 33.]

MAT. Westmonast. "An. gratiae CLXXXVII. gloriosus Britonum rex Lucius, cum infra regnum suum verae fidei cultum magnificatum esse vidisset, possessiones et territoria ecclesiis et viris ecclesiasticis abundanter conferens, chartis, et munimentis omnia communivit. Ecclesias vero cum suis coemeteriis, ita constituit esse liberas, ut quicumque malefactor ad illa confugeret, illaesus ab omnibus remaneret. Deinde in dilectione Dei et proximi feliciter

vivens, regnum suum in tranquillitate maxima moderabatur."

Huc etiam pertinere videatur, quod e Malmesburio supra proditur. "Et sicut tres reges pagani" intellige Arviragus, Marius, et Coilus, "dictam insulam cum adjacentiis suis XII. primis Christi discipulis dudum concesserunt, ita praedicti Faganus et Deruvianus istis XII. sociis, quos ipsi tempore Lucii ibidem constituerunt, atque aliis in posterum servituris, ab eodem rege Lucio confirmari impetrabant."

Epistola Eleutherii, Romani episcopi, ad Lucium, regem Britanniae, leges Romanas et Caesaris petentem. Ex legibus S. Edovardi regis et confessoris, ubi sic inscribitur: Epistola domini Eleutherii Lucio regi Britanniae. Collat. cum MS. Gildae Londin. [Ann. Dom. CLXXXV. ibidem p. 34.]

ANNO^a CLXIX. a passione Christi, dominus Eleutherius papa Lucio regi Britanniae scripsit^b ad petitionem regis et procerum regni Britanniae. Petistis a nobis leges Romanas et Caesaris vobis transmitti, quibus in regno Britanniae uti voluistis. Leges Romanas et Caesaris semper^c reprobare possumus, legem Dei nequaquam. Suscepistis enim nuper miseratione divina in regno Britanniae legem et fidem Christi, habetis penes vos in regno utramque paginam, ex illis Dei gratia, per concilium regni vestri, sume legem, et per illam Dei potentia vestrum^d reges Britanniae regnum. Vicarius vero Dei estis in regno, juxta prophetam regem [Psal. xxiii. 1.] "Domini est terra et plenitudo ejus, orbis terrarum, et universi qui inhabitant in eo:" et rursus juxta prophetam regem [Ps. xlv. 9.] "Dilexisti justitiam, et odisti iniquitatem, propterea unxit te Deus tuus oleo laetitiae prae consortibus tuis:" et rursus juxta prophetam regem [Psal. lxxi. 1.]

"Deus judicium tuum," etc. Non enim judicium neque justitia Caesaris, filii enim regis gentes christianae et populi regni sunt, qui sub vestra protectione, et pace, et regno^e degant et consistant, juxta evangelium [Mat. xxiii. 37.] "Quemadmodum gallina congregat pullos sub alis," etc. Gentes vero regni Britanniae et populi vestri sunt, et quos divisos debetis in unum ad concordiam, et pacem, et ad fidem, et ad legem Christi, et ad sanctam ecclesiam congregare, revocare, fovere, manutenere, protegere, regere, et ab injuriosis, et malitiosis, et ab inimicis^f defendere. "Vae regno, cujus rex puer est, et cujus principes mane comedunt [Eccl. x. 16.] Non voco regem^g propter parvam et nimiam aetatem, sed propter stultitiam, et iniquitatem, et insanitatem, juxta prophetam regem [Psal. liv. ult.] "Viri sanguinum et dolosi non^h dimidiabunt dies suos," etc. per comestionem intelligimus gulam, per gulam luxuriam, per luxuriam omnia turpia

^a Al. CLVI. et in Stowi exemplari cclii. vulgo dicimus *retrouare*. SALMAS. ^b MS. Gil. Lond. *ad correctionem*. ^c *recuperare, vel retroperare, quod* ^d MS. G. L. *rege*. ^e MS. G. L. *degunt et consistunt*. ^f MS. G. L. *semper addit*. ^g MS. G. L. *addit puerum*. ^h MS. G. L. *dimidiabunt*.

ⁱ et multa mala, juxta Salomonem regem [Sap. i.4.] “In malevolam animam non introibit sapientia, nec habitabit in corpore subdito peccatis.” Rex dicitur a regendo, non a regno. Rex eris dum bene regis; quod nisi feceris, nomen regis non in te constabit, et nomen regis

perdes, quod absit. Det vobis omnipotens Deus regnum Britanniae sic regere, ut possitis cum eo regnare in aeternum, cujus vicarius estis in regno praedicto, qui cum Patre et Filio, etc.

ⁱ MS. G. L. addit *et perversa*.

Animadversiones in hanc epistolam. Ex Spelm. vol. I. p. 35.

NONNULLI viri docti pluris faciunt hanc epistolam. Auctor Antiq. Britan. eccl. augustam vocat, et, ut naevos solet, tuetur quidem vehementius. Absit ut patriae meae monumentis, quibus excolendis assidue semper defudavi, injuriam vel tantillam inferam. Prae omnibus tamen excolenda veritas, et cum in secularibus universis, tum in his praecipue ad rem ecclesiae pertinentibus. Candide igitur, ut me exhibeam, epistolam pono, sed et pariter annotanda censeo, quae eamⁱ, nec immerito, vocent in suspicionem. Tu deinde, lector, tuo utere arbitrio.

Primo haud feliciter hic se habet synchronismus. Alias enim scribi dicitur anno Domini CLXIX. alias, ut in notulis, anno CLVI. et convenit quidem neuter numerus Eleutherii pontificatui, si probatos magis auctores insequamur. Nam licet Beda [in Breviar.] eum factum ait Romanae praefulem an. Dom. CLXVII. Eusebius tamen in suo Chronico pontificatus ipsius initium refert ad an. XVI. Antonini imp. id est, Domini nostri CLXXIX. et consultius in historia sua ad sequentem Antonini annum, qui est Domini nostri CLXXX. Huic etiam sententiae accedit Baronius, confirmatque martyrum Lugdunensium literis ad Eleutherium ipsum datis. Porrigitur a nonnullis aliis ad annum Dom. CLXXXI. et a Matthaeo Westmonasteriensi ad annum gratiae CLXXXV. Cum autem annus ille, qui est in fronte epistolae, non ab ipso Eleutherio, sed ignoto quopiam ascribatur, et saepissime hallucinari soleant auctores in annis Christi ad illa secula coaptandis, non enata adhuc, nec diu postea, Christi epocha, nos, si caetera bene quadrent, istud non morabimur.

Secundo, differt hic petitio Lucii ab illa, quam et Beda, et alii omnes auctores ponunt. Petiisse nempe ab Eleutherio Lucium, ut suo munere fide imbueretur christiana: et refert haec epistola nihil peti praeter leges Caesaris et Romanas. Hoc utique parum moror, cum bis forte scripserit, pro fide primo, et pro legibus denuo. Innuit idem ipsa epistola, ubi dicit, Suscepistis enim nuper miseratione divina in regno Britanniae legem et fidem Christi, etc.

Tertio, non opus erat ut Lucius Romam mitteret ad Eleutherium pro Romanis legibus adferendis, cum has domi a Romano praefide, nec fugiendas quidem, obtineret. Nam a tempore Claudii imp. qui Britanniam pene totam subjugavit, Romanae in Britannia resonabant

leges, etiam per Brigantes ipsos tractu habitantes boreali, prout Seneca, Carm. Anapaest. in ludo de morte Cl. Caesar.

Ille Britannos ultra noti littora ponti
Et caeruleos Scuta Brigantas^a Dare Romuleis
Colla catenis Jussit, et ipsum nova Romanae
Jura securis Tremere oceanum.

Imo statuit in coloniis Romanas curias et tribunalia centum circiter annos ante Lucii regimen, ut e Tacito [Annal. lib. XIV.] liqueat, ea referente quae in colonia Cameloduni sub Paulino Suetonio Britanniarum praefide contingere. “Externos,” inquit, “fremitus in curia eorum auditos.” Hoc idem Dio Cassius, et praeterea Eutropius: “Colonia,” inquit, “Camelodunum ducitur valida, veteranorum manu in agros captivos, ut esset subsidium versus rebelles, et imbuendis sociis ad officia legum.” Adeo etiam celebre fuit mox ab excessu Lucii inter Brigantes tribunal Romanorum Eboraci, ut Aemilius Paulus Papinianus J. C. suae et multarum aetatum nominatissimus jura in eodem administasse perhibetur: et consulti ex eodem imp. Severus et Antoninus imperialem constitutionem edixisse de rerum venditione, quae habetur Cod. lib. III. tit. 32. Sed quid demum leges seculares peteret Lucius rex a sacerdote et viro sancto, qui harum studio penitus renuntiasset, ut se Dei legibus totum manciparet?

Quarto, non agnoscit haec epistola Romanorum in Britannia dominationem, cum Lucium tanquam regem absolutum, et, contra morem seculi, monarcham late imperantem alloquatur; non Romano coercitum praefide, ut apud Judaeos Herodes rex Pilato, Agrippa rex Felice et Festo, et ut in provinciis in usu fuit. “Vicarius vero,” inquit, “Dei estis in regno; non Claudii Caesaris, non imperatoris alicujus.” et mox infra: “Gentes vero regni Britanniae, et populi vestri sunt,” etc. [Lib. de Pontificib. Roman.] Lucius proculdubio erat rex Britanicus, ut in vita Eleutherii recte appellatur: hoc est, regionis alicujus Britanniae, non totius insulae, vel totius partis illius quae a Scotia muro determinata, Romano paruit. In hac tamen parte suam sub Romanis exercuisse ditionem, ut Herodes et Agrippa in Judaea, [Luc. i. 5.] non est dubitandum. Nec difficile est locum designare suae ditionis [Balaeus cent. i. ca. xxiii. Hect. Boet. lib. III. fol. 39. et 53. Hollinsh.

^a Vera est, inquit Salmasius, Scaligeri conjectura, *Scotto Brigantas* pro *Scuta Brigantas*.

lib. IV. cap. iii. et plures alii] cum filius et successor esset Coili regis, Coilus Marii, Marius Arviragi, quem alii Tegenum fuisse perhibent, alii eundem ipsum quem Tacitus Prasutagum regem Icenorum nominat. Icenos autem, quos et Tegenos perperam vocant, eam Britanniae partem habitasse certum est, quae Eastangliam sub Saxonibus, hodie Norfolciam, Suffolciam, aliquando et Cantabrigiam complexa est: eorumque regiam Ventam Icenorum fuisse, quae nunc Caistor in Norfolcia dicitur, Norwico civitati in vicinia. Sed haec quidem a Glastonia Belgarum vicula in regno occidentalium Saxonum, quam Arviragum asserunt Iosepho Arimathaeo et sociis suis contulisse, longissime est diffita: quod altius igitur expendendum. Nam Arviragum potius regem fuisse innuit Belgarum et Dobunorum, id est, occidentalium Saxonum, quam Icenorum. Et sententiam promovet, quod in tractu isto plurimum is versatus fuerit, et Claudiocestriae sepultus, si Gaufrido fides. Haesitationem tollit (ni et de ipso dubitaveris) Hector Boethius Scotus, qui Histor. l. III. Arviragum indicat natione fuisse Icenum, et a Claudio imp. substitutum esse Britanniae regem. Perinde et Icenos primum suscepisse Christum in Britanniam.

Quinto, habetur hic vox manutenere, Eleutherii seculo, ut antiquior item manucapere, non in usu, sed Normanicam plane Latinitatem redolens; a qua in jus nostrum ir-

repsit municipale^f. Dimidicare etiam non legitur.

Sexto, loca quae e sacra scriptura hic citantur, sumpta sunt e translatione divi Hieronymi, qui cc. pene annos post Eleutherium floruit, vel e recentiori vulgari.

Septimo et ultimo, non reperitur haec epistola usquam gentium infra mille annos post excessum Eleutherii; et e quo latibulo demum prodiit, incertum est. Typis inter primos dedit auctor Consuetudinum Londinensium an. 12 Hen. VIII. Clarius postea Guilielm. Lambardus in legum regis Edovardi Confessoris auctario, distincte tamen in Italica litera, ut pro adventitia cognoscatur. In veteri nostro MS. exemplari nequaquam cernitur, nec in illo quidem ab Hovedeno prodito annis ab hinc cccc. Sed, quod maxime animadvertendum est, non reperitur apud Hovedeni coaetaneum Gaufridum ipsum Monumethensem, qui Britannicarum antiquitatum non solum fuit solertissimus indagator, sed novitatum etiam strenuus praedicator. Exemplar utique, quod habetur in MS. codice Guildae London. ducentos annos non videtur salutasse.

His addit USSER. in not. MSS. ad locum: "I know not of what antiquitye that cōpye of Lucius his epistle is, which is now to be seen in Guild-hall: but that which was there of old, and now is in Sir Thomas Cotton's library, appeareth to have been written in the dayes of Edward I. as I have noted in my book De Britan. eccles. primordiis pag. 101."

^b MS. Guil. Lond. *dimicare*

De obitu Lucii regis, quem ab accepta fidei luce, Britanni Lever-maur, i. lucem magnam appellabant. [Circa ann. Dom. cci. ex Spelm. vol. I. p. 36. seq.]

MAT. Westmonast. "Anno gratiae cci. inclytus Britannorum rex Lucius in bonis actibus assumptus, Claudiocestriae ab hac vita migravit ad Christum, et in ecclesia primae sedis honorifice sepultus est. Quo defuncto, diffidium inter Britones surrexit, quia absque haerede decessit, et Romana potestas infirmata est. Mansit itaque Britannia in diffidio usque ad adventum Severi, qui eam postea Romanae restituit dignitati. Nam, ut inquit idem auctor, mox infra, anno gratiae ccv. Severus imperator in partes Britannicas bellum

transfert, ubi gravibus praeliis saepe gestis maximam insulae partem sibi subjugavit, muroque fortissimo communivit.

Iste autem rex Lucius, ut habet Nennius in Eulogio Britanniae, propter fidem, quae in eius tempore venit, a Britannis Lever-maur agnominatus est, quod in uno exemplari MS. princeps magnae gloriae interpretatur: in alio vero, et verbo propius, magni splendoris; Lever enim lucem significat; maur magnam seu grandem.

Britannia fidem retinet. [Ann. Dom. ccii. et seqq. Ibidem.]

QUID in ecclesiis Britannicis actum sit post decessum Lucii usque ad Dioclesianam persecutionem (i. per annos lxxx. vel paucos supra) nihil, quod sciam, in historiis nostris proditum. Ab Origene [in Ezech. Hom. IV.] autem, qui eo floruit intervallo (nam obiisse dicitur an. Dom. cclx.) religionem etiam et hic floruisse intelligas, referente tunc ipso, Britanniam in unius Dei consentire religionem. Loquitur de celebri illa jam tum in Britannia ecclesia publica, sub Lucio Rege instituta: sed initium

hanc coepisse ostendit Gildas tempore summo Tiberii Caesaris, et (licet per meatus aliquando tenues et obscuros) propagatam tamen floruisse usque ad persecutionem Dioclesiani tyranni, quam et late ibidem ipse describit.

USSERIUS in MSS. not. ad locum sequentia subiungit. Ab Origene Hom. IV. in Ezechielem affirmari aegre quis admiserit; Britanniam eo tempore in unius Dei consensisse religionem, qui nihilminus quam de Luciana conversione tum cogitaverat. H. I.

Persecutio Dioclesiana, qua S. Albanus, Aaron, Julius, et plures alii martyrio coronantur. [Circa ann. Dom. ccc. ex Spelm. vol. I. p. 37. seq.]

GILDÆ narrationis partem primam supra posuimus in apparatus nostri exordio, ubi cum dixisset, “ tempore summo Tiberii Caesaris radios suos primum indulget, id est, sua praecepta [in Britannia] Christus: adjungit immediate prout sequitur. Sect. vii. Quae licet ab incolis tepide suscepta sunt, apud quosdam tamen integre, et alios minus, usque ad persecutionem Dioclesiani tyranni novennem: in qua subversae per totum mundum sunt ecclesiae, et cunctae sacrae scripturae, quae inveniri potuerunt, in plateis exustae, et electi sacerdotes gregis Domini cum innocentibus ovibus trucidati: ita ut ne vestigium quidem (si fieri potuisset) in nonnullis provinciis christianae religionis appareret permanere. Tunc quantae fugae, quantae strages, quantae diversarum mortium poenae, quantae religionis apostatarum ruinae, quantae gloriosissimorum martyrum coronae, quanti persecutorum rabidi furores, quantae e contrario sanctorum patientiae fuere, ecclesiastica historia narrat ita ut agmine denso certatim (relictis post tergum mundialibus tenebris) ad amoena caelorum regna, quasi ad propriam sedem tota festinaret ecclesia. Sect. viii. Magnificavit igitur misericordiam suam Deus nobiscum, volens omnes homines salvos fieri, et vocans non minus peccatores, quam eos qui putant se esse justos, qui gratuito munere supradicto (ut cognoscimus) persecutionis tempore, ne crassa atrae noctis caligine Britannia obfuscaretur, clarissimas lampades sanctorum martyrum nobis accendit, quorum nunc corporum sepulturae et passionum loca, si non lugubri divortione barbarorum, quamplurima ob scelera nostra civibus adimerentur, non minimum intuentium mentibus ar-

dorem divinae charitatis incuterent: sanctum Albanum Verolamensem, Aaron, et Julium Legionum urbis cives, caeterosque utriusque sexus diversis in locis summa magnanimitate in acie Christi perstantes dico. Quorum prior postquam charitatis gratia confessorem alium persecutoribus infectatum, et jam jamque comprehendendum (imitans et in hoc Christum “ animam pro ovibus ponentem”) domo primum ad mutatis dein mutuo vestibus occuluit, et se discrimini in fratris supradicti vestimentis libenter persequendum dedit: ita Deo placens inter sacram confessionem cruoremque, coram impiis Romana tum stigmata cum horribili phantasmate praeferebantibus, signorum miraculis mirabiliter adornatus est, ut oratione fervente illi Israeliticae arenti viae minusque tritae, stante diu arca prope glareas testamenti in medio Jordanis canali [Bed. lib. I. c. vii.] simile iter ignotum trans nobilis fluvii alveum cum mille viris sicco ingrediens pede, suspensis utrinque modo praeceptorum fluvialibus montium gurgitibus aperiret, et priorem carnificem tanta prodigia videntem in agnum ex lupo mutaret, et una secum triumphalem martyrii palmam sistere vehementius, et excipere fortius faceret. Caeteri vero sic diversis cruciatibus torti sunt, et inaudita membrorum discriptione lacerati, ut absque cunctamine gloriosi in egregiis Hierusalem veluti portis, martyrii sui trophaea defigerent: nam qui superfuerant, sylvis ac desertis, abditisque speluncis se occultavere, expectantes a justo rectore omnium Deo carnificibus severa quandoque judicia, sibi vero animarum tutamina.”

Suscitatur ecclesia: involat Ariana haeresis. [Ann. Dom. cccxiv. ibid. p. 38. seq.]

IGITUR, adhuc Gildam audis, “ bilustro supradicti turbinis nec dum ad integrum adimpleto, emarcescentibusque, nece suorum auctorum nefariis edictis, laetis luminibus omnes Christi tirones, quasi post hyemalem ac prolixam noctem, temperiem lucemque serenam aurae caelestis excipiunt, renovant ecclesias ad solum usque destructas, basilicas sanctorum martyrum fundant, construunt, perficiunt, ac velut victricia signa passim propalant, dies festos celebrant, sacramenta mundo corde oreque conficiunt, omnes exultant filii, gremio acsi matris ecclesiae confoti. Sect. ix. Mansit namque haec Christi capitis membrorumque consonantia suavis, donec Ariana perfidia atrox, seu anguis

transmarina, nobis evomens venena, fratres in unum habitantes exitiabiliter faceret seungi, ac sic quasi via facta trans oceanum omnes omnino bestiae ferae mortiferum cujuslibet haereseos virus horrido ore vibrantes, letalia dentium vulnera patriae novi semper aliquid audire volenti, et nihil certi stabiliter obtinenti infigebant.”

Notae. Gildae haec omnia, et tantundem saepe verbis, in ecclesiasticam suam historiam transcripsit Beda lib. I. cap. vi. vii. viii. fusius etiam et multo lucidius. Nos ideo tamen Gildam exhibemus, quod annos plus minus cxi. Bedam praecefferat, et occurrit rarior libellus ejus, cum passim habeantur Bedae opera.

Concilium Arelatense I. Constantini Magni jussu, M. Caeciliani, episcopi Carthaginensis, et Donatistarum causa celebratum, Volusiano et Anniano coff. anno Christi cccxiv. Silvestri papae primo; Constantini ejusdem Augusti nono, cum Marinus ejus urbis [Arelati] esset episcopus. Ex Spelm. vol. I. p. 39. seqq.

Synodi ejusdem vulgata editio solos canones et episcoporum nomina complectens.

SYNODUS episcoporum qui in civitate Arelatensium apud Marinum episcopum ecclesiae catholicae, temporibus Constantini Augusti Volusiano et Anniano coff. convenerunt.

Breviarium epistolae.

Domino sanctissimo, fratri Silvestro, Marinus et coetus episcoporum, qui adunati fuerunt in oppido Arelatensi. Quid decreverimus communi concilio, charitati tuae significavimus, ut omnes sciant quid in futurum observare debeant.

Canones.

I. Ut uno die et tempore Pascha celebretur. De conf. dist. 3. de observatione Paschae.

Primo loco de observatione Paschae dominici, ut uno die et uno tempore per omnem orbem a nobis observetur, et juxta consuetudinem literas ad omnes tu dirigas.

II. Ut ubi quisque ordinatur ibi permaneat.

De his qui in quibuscunque locis ordinati fuerint ministri, in ipsis locis perseverent.

III. Ut qui in pace arma projiciunt excommunicentur. Ivo p. 2. c. 112.

De his qui arma projiciunt in pace, placuit abstinere eos a communione.

IV. Ut aurigae dum agitant excommunicentur.

De agitatoribus qui fideles sunt, placuit eos quamdiu agitant a communione separari.

V. Ut theatrici quamdiu agunt excommunicentur.

De theatricis, et ipsos placuit, quamdiu agunt, a communione separari.

VI. Ut in infirmitate conversi manus impositionem accipiant.

De his qui in infirmitate credere volunt, placuit eis debere manum imponi.

VII. De fidelibus qui praesides sunt, vel rempublicam agere volunt.

De praesidibus qui fideles ad praesidatum profiliunt, placuit ut cum promoti fuerint, literas accipiant ecclesiasticas communicatorias, ita tamen ut in quibuscunque locis gesserint, ab episcopo ejusdem loci cura de illis agatur, et cum coeperint contra disciplinam agere, tum demum a communione excludantur. Simi-

liter et de his qui rempublicam agere volunt.

VIII. De baptismo eorum qui ab haeresi convertuntur. De conf. dist. 4. de Arianis.

De Afris quod propria lege sua utuntur ut rebaptizent, placuit ut si ad ecclesiam aliquis ab haeresi venerit, interrogent eum symbolum, et si perviderint eum in Patre, et Filio, et Spiritu Sancto esse baptizatum, manus ei tantum imponatur ut accipiat Spiritum Sanctum. Quodsi interrogatus non responderit hanc Trinitatem, baptizetur.

IX. Ut qui confessorum literas afferant, alias accipiant.

De his qui confessorum literas afferunt, placuit ut sublati eis literis, accipiant communicatorias.

X. Ut is cujus uxor adulteravit, aliam illa vivente non accipiat. Ivo p. 8. c. 258.

De his qui conjuges suas in adulterio deprehendunt, et iidem sunt adolescentes fideles et prohibentur nubere, placuit in quantum possit consilium eis detur, ne viventibus uxoribus suis, licet adulteris, alias accipiant.

XI. De puellis quae gentilibus junguntur.

De puellis fidelibus quae gentilibus junguntur, placuit ut a communione aliquanto tempore separentur.

XII. Ut clerici foeneratores excommunicentur.

De ministris qui foenerant, placuit eos juxta formam divinitus datam a communione abstinere.

XIII. De iis qui scripturas sacras, vasa dominica, vel nomina fratrum tradidisse dicuntur.

De his qui scripturas sacras tradidisse dicuntur, vel vasa dominica vel nomina fratrum suorum, placuit nobis ut quicumque eorum ex actis publicis fuerit detectus, non verbis nudis, ab ordine cleri amoveatur. Nam si iidem aliquos ordinasse fuerint deprehensi, et de his quos ordinaverint ratio subsistit, non illis obfit ordinatio. Et quoniam multi sunt, qui contra ecclesiasticam regulam pugnare videntur, et per testes redemptos putant se ad accusationem admitti debere, omnino non admittantur nisi, ut supra diximus, actis publicis docuerint.

^a bello al.

^b 14. q. 4. ministri qui foenerant.

XIV. *Ut qui falso accusant fratres suos usque ad exitum excommunicentur.*

De his qui falso accusant fratres suos, placuit eos usque ad exitum non communicare.

XV. *Ut diacones non offerant.*

De diaconibus quos cognovimus multis locis offerre, placuit minime fieri debere.

XVI. *Ut ubi quisque sit excommunicatus, ibi communionem consequatur.*

De his qui pro delicto suo a communione separantur, placuit ut in quibuscunque locis fuerint exclusi, eodem loco communionem consequantur.

XVII. *Ut nullus episcopus alium conculcet episcopum.*

Ut nullus episcopus alium episcopum conculcet. Ivo p. 5. c. 228.

XVIII. *De diaconibus urbicis, ut sine presbyterorum conscientia nihil agant.*

De diaconibus urbicis, ut non sibi tantum praesumant, sed honorem presbyteris reservent, ut sine conscientia eorum nihil tale faciant.

XIX. *Ut peregrinis episcopis locus sacrificandi detur.* Ivo p. 5. c. 216.

De episcopis peregrinis qui in urbem solent venire, placuit eis locum dari ut offerant.

XX. *Ut sine tribus episcopis nullus episcopus ordinetur.*

De his qui usurpant sibi, quod soli debeant episcopos ordinare, placuit ut nullus hoc sibi praesumat nisi assumptis secum aliis septem episcopis: si non potuerit septem, infra tres non audeat ordinare.

XXI. *Ut presbyteri, aut diacones qui ad alia loca se transferunt, deponantur.* Ivo p. 6. c. 172.

De presbyteris aut diaconibus qui solent dimittere loca sua in quibus ordinati sunt, et ad alia loca se transferunt, placuit ut eis locis ministrant quibus praefixi sunt. Quod si relictis locis suis ad alium se locum transferre voluerint, deponantur.

XXII. *De apostatis qui in infirmitate communionem petunt.*

De his qui apostatant, et nunquam se ad ecclesiam repraesentant, ne quidem poenitentiam agere quaerunt, et postea infirmitate arrepti petunt communionem, placuit eis non dandam communionem, nisi relevaverint et egerint dignos fructus poenitentiae.

Nomina episcoporum cum clericis suis, quinam et ex quibus provinciis ad Arelatensem synodum convenerint.

Chrestus episcopus, Florus diaconus, ex civitate Syracusanorum, provincia Sicilia.

VOL. IV.

Proterius episcopus, Agrippa et Pinus diacones, de civitate Capuensium, provincia Campania.

Pardus episcopus, Crescens diaconus, de civitate Arpiensium, provincia Apulia.

Theodorus episcopus, Agathon diaconus, de civitate Aquileiensi, provincia Dalmatia.

Claudianus et Vitus presbyteri, Eugenius et Cyriacus diacones, ex urbe Roma missi a Silvestro episcopo.

Merocles episcopus, Severus diaconus, de civitate Mediolanensi, provincia Italia.

Orefius episcopus, Nazarius lector, de civitate Massiliensi, provincia Viennensi.

Marinus episcopus, Salamas presbyter, Nicasius, Afér, Urfinus, et Petrus diacones, de civitate Arelatensium, provincia Viennensi.

Verus episcopus, Bedas exorcista, de civitate Viennensi, provincia Viennensi.

Daphnus episcopus, Victor exorcista, de civitate Vasensi, provincia Viennensi.

Faustinus presbyter, de civitate Arausicorum, provincia quae supra.

Innocentius diaconus, Agapius exorcista, ex portu Nicaensi.

Romanus presbyter, Victor exorcista, de civitate Aptensium.

Item de Gallis.

Imbetausius episcopus, Primigenius diaconus, de civitate Rhemorum.

Avitianus episcopus, Nicetius diaconus, de civitate Rothomagensium.

Reticius episcopus, Amandus presbyter, Philomatius diaconus, de civitate Augustodunensium.

Vocius episcopus, Petulinus exorcista, de civitate Lugdunensium.

Maternus episcopus, Macrinus diaconus, de civitate Agrippinensium.

Genialis diaconus, de civitate Gabalum, provincia Aquitania.

Orientalis episcopus, Flavius diaconus, de civitate Burdegalensi.

Agracius episcopus, Felix exorcista, de civitate Trevirorum.

Mamertinus episcopus, Leontius diaconus, de civitate Elosatium.

Eborius, episcopus de civitate Eboracensi, provincia Britannia.

Restitutus, episcopus de civitate Londinensi, provincia supradicta.

Adelfius, episcopus de civitate Colonia Londinensium, exinde Sacerdos presbyter, Arminius diaconus.

Liberius episcopus, Florentinus diaconus, de civitate Emerita, provincia Hispania.

Sabinus, presbyter de civitate Baetica.

Natalis presbyter, Cytherius diaconus, de civitate Ursolensium.

Probatius presbyter, Castorius diaconus de civitate Tarracoe.

Clementius presbyter, Rufinus exorcista, de civitate Caesaraugusta.

Termatius presbyter, Victor, lector de civitate Bastigensium.

Fortunatus episcopus, Deuterius diaconus, de civitate Caesariensi, provincia Mauritania.

Quintasius episcopus, Ammonius presbyter, de civitate Caralis, provincia Sardinia.

Item provincia Africa.

Caecilinianus, episcopus de civitate Carthaginiensium, cum ipso Sperantius diaconus.

Lampadius, episcopus de civitate Utina.

Victor, episcopus de civitate Utica.

Anastasius, episcopus de civitate Beneventina.

Faustus, episcopus de civitate Tuborbitana.

Surgentius, episcopus de civitate Pocofeltis.

Victor, episcopus de civitate Legisvolumini, provincia Numidia.

Vitalis, episcopus de civitate Verensium.

Gregorius, episcopus de loco qui est in portu Romae.

Epictetus, episcopus a Centumcellis.

Leontius et Mercurius, presbyteri ab Ostiis.

Notae. Hoc concilium quoad locum sessionis, Gallicum est; quoad conscriptionis occasionem, ad conterendas scilicet impias quorundam Africanorum opiniones, Africanum. Congregatum autem iussu Constantini magni, qui tunc Britannis imperabat. Aderant igitur e Britannia celebriores, ut videtur, tres episcopi, nempe Eboracensis, Londoniensis, et de civitate Colonia Londinensium, quae alias dicitur Camelodunum, et colonia Cameloduni, una cum sacerdote, presbytero, et diacono; qui et canones assensu suo approbabant, et, in Britanniam redeuntes, secum deferebant observandos. Eisdem itaque in nostro hoc conciliorum syllabo exhibemus, ut videas, lector, quibus sub

antiquo illo seculo ecclesia Britannica moderabatur regulis. Epistolas et rescriptum Constantini circa hoc concilium et epistolam ipsius concilii ad Silvestrum papam apud Sirmondum intueri.

Binius hoc concilium refert ad an. Dom. cccxxvi. alii ad cccxxviii. Balaeus nostras ad ccccl. Baronius et Sirmondus, quos libentius sequor, ad cccxiv. In eo autem acta et iudicata est causa Caeciliani: aderatque, ut vides, e Britannia Restitutus, Londinensis episcopus, et decretis ejusdem in hunc modum, ut habet Binius, verbis Sirmondi e codice Corbeiensis inversis subscripsit. "Ex provincia Britanniae, civitate Londinen. Restitutus episcopus." Differt et in aliis ejus editio. Sed redeuntem in Britanniam Restitutum, canones hujus concilii secum detulisse refert ex Balaeo Godwinus, et inter eos unum olim hunc fuisse.

"Si diaconi in ordinatione sua protestentur se uxores ducturos, ut liceat illis id ipsum facere, atque simul in ministerio permanere.

Ego locum hunc non reperi, sed in eandem sententiam sic idem Balaeus in append. 2. ad cent. 1. ca. xxxix. "Restitutus Britannus, Londinensis archiepiscopus uxoratus, et Hilario Pictaviensi pariter conjugato notus, Arelatensem in Galliis synodum adiit religionis gratia, anno Domini ccccl. in qua liberis diaconorum conjugii, etiam post susceptos, ut tunc erant, ordines, cum caeteris et ipse consensit, eaque statutis legibus pacificavit.

Sub hoc etiam tempore Kibius Corinnus, filius Salomonis ducis Cornubiae, et episcopus Anglesiae, populum Anglesiae, et septentrionalis Walliae, fidei documentis imbuunt. Chron. Angl. part. 1. an. ccclx.

Epistola Constantini Magni, Britanniae imperantis, ad omnes ecclesias, de rebus Nicaeni concilii, et unanimi Paschatis observatione. Qua etiam ostendit ampliore jam nunc esse in Britannis ecclesiarum numerum, easdemque communiter sentire cum reliquis orbis ecclesiis. Ex Nicephor. lib. VIII. ca. xxv. [Ann. Dom. cccxxx. ex Spelm. vol. I. p. 43. seqq.]

IDEM Constantinus et ad episcopos, qui ad conventum (Nicaenum) venire non potuerunt, et ad omnes ubique ecclesias, quae acta ibi essent declarans, ad hunc modum scripsit:

Experientia edoctus per rerum publicarum prosperitatem, quanta sit divinae potestatis gratia, illum mihi propositum esse debere finem judicavi, ut a beatissimis catholicae ecclesiae populis fides una, et sincera charitas, consentiensque in Deum pietas servetur. Sed enim quum aliter omnino fieri non posset, ut ordo stabilis et firmus constitueretur, nisi simul omnes, aut certe plures episcopi convenirent, et de re qualibet ad sanctissimam religionem pertinente dijudicarent, ejus rei gratia, quam fieri potuit plurimis coactis, me quoque perinde atque uno aliquo ex vobis, non enim negaverim quo maxime laetor, conservum vestrum me esse, praesente, usque adeo omnia in debitam sunt disquisitionem vocata, quousque rerum omnium inspectori Deo placita sententia ad consentien-

tis unitatis concordiam stabiliendam, in lucem est protracta, ita ut nihil jam quod ad dissensionem, aut professionis fidei ambiguitatem facere posset, sit relictum. Ubi quum de sanctissimo etiam Paschae die quaestio esset exorta, sententiis omnium decretum est, convenire, ut id eodem tempore ab omnibus ubique peragatur. Quid enim nobis esse potest vel pulchrius, vel gravius, quam si is dies festus, unde spem immortalitatis percepimus, uno ordine et celebri ritu ab omnibus certo et inviolabiliter peragatur? Ac primum quidem indigna res fuit, sanctissimum eum diem imitatione atque consuetudine Judaeorum celebrare, qui manibus suis nefario flagitio contaminatis, non injuria quoque animis sunt excaecati, homines scelerati. Quidni enim liceat, gente ea rejecta, rectiori veriorique ordine, quem a primo Passionis die hucusque servavimus, ad futura quoque secula observationis hujus ritum transmittere? Itaque nihil vobis commune sit cum infestissima

festissima Judaeorum turba. Aliam siquidem a Servatore accepimus viam: propositus est sacratissimae religioni nostrae suus cursus, et legitima quae illam deceat regula: quam unanimi consensu complectentes, nosipsum a foeda illa conscientia et societate retrahamus, fratres reverendissimi. Et profecto omnium absurdissimum est, illos gloriando jactare, hisce observandis nos sufficere non posse, absque illorum doctrina et praescripto. Quidnam vero illi recte sentire et sapere possunt, qui post illam Domini caedem mentibus capti, non ratione aliqua, sed impotenti impetu, quocunque eos insitus impellit furor, ducuntur. Quam ob causam, quum in hac quoque parte verum non perspiciant, sed, uti semper, affectu vitioso transversim rapiantur, potius quam errorem corrigant, eodem anno bis Pascha peragunt. Quae igitur de causa eos sequemur, qui gravi errore se implicatos esse consentunt? Bis equidem eodem anno Pascha celebrare, haud unquam sustinuerimus. Atque etiam si haec vobis non exponerentur, conveniret tamen, vos, pro mentis vestrae sagacitate, semper et studere et optare, ne cujuscumque similitudine et exemplo, puritatem animarum vestrarum pollueretis, neve hominum modis omnibus malorum consuetudinem imitari videremini.

Ad haec illud quoque considerandum venit, in re tanta, et tam solennibus religionis nostrae feriis dissensionem extare aliquam, longe esse impiissimum. Unum namque nobis libertatis atque redemptionis nostrae diem, sanctissimae scilicet passionis suae, Salvator noster dedit. Unam esse catholicam suam ecclesiam voluit: cujus tametsi partes in multis variisque sunt dispersae locis, uno tamen Spiritu, hoc est, divino arbitrio fovetur. Consideret porro sanctitatis vestrae solertia, quam grave sit et indecorum, per eosdem dies, alios quidem jejuniis intentos esse, alios vero convivii vacare; et post Paschae dies, hos quidem feriari et conquiescere, illos autem statis jejuniis macerari. Quapropter hanc rem, pro eo atque decet corrigi, atque ad unum institutum formamque perducere, divina vult providentia: quantum equidem extra omnem affectum positus perspicio. Itaque quum hoc sic corrigere conveniat, ne quid nobis cum Domini percussoribus sit commune, et decens extet ordo, quem omnes occidentaliū, et meridionaliū, septentrionaliūque habitabilis orbis partium ecclesiae, et quibusdam quoque in locis orientales observant, ea de causa in praesentia omnibus convenire visum est, ipseque adeoque id solertiae vestrae placitum esse recepi, ut quod per urbem Romanam, Italiam, Africam omnem, Aegyptum, Hispanias, Gallias, Britannias, Libyam, cunctam Graeciam, Asiam, atque Ponticam ditionem, et Ciliciam, uno atque consentienti servatur consilio, id libenter quoque prudentia vestra suscipiat: secum ipsa perpendens, non

modo ampliorem esse ecclesiarum in eis quae diximus locis numerum, verum etiam idem communiter omnes sentire et velle, esse quam sanctissimum. Quin et strictior ipsa atque exactior ratio flagitare videtur, ne qua sit nobis cum Judaeorum perjurio communio. Et ut tandem summam rei breviter dicam: communi omnium iudicio placuit, sanctissimas Paschae ferias uno eodemque die peragi. Minime namque decet in re tam sancta aliquam extare dissensionem. Et pulchrius est eam sequi sententiam, in qua nulla sit alieni erroris et peccati contagio. Ac cum ita se res habeat, libentibus animis caeleste hoc et vere divinum suscipite praeceptum. Quidquid enim in sanctis episcoporum agitur conventibus, id ad divinam refertur voluntatem. Itaque eis quae scripsimus, omnibus dilectis fratribus nostris significatis, jam rationem hanc et observationem sanctissimi diei suscipere atque instituere debetis, ut quum in pietatis vestrae, quod dudum mihi fuit in votis, conspectum venero, uno eodemque die sanctas vobiscum ferias celebrare valeam, et rebus omnibus una vobiscum animo delecter, feritatem diabolicam per vim divinam operibus nostris sublatam, vestramque ubique fidem, pacem, et concordiam vigentem cernens. Deus vos servet, fratres dilecti.

Aequum etiam est, quae contra Arium et ejus sectatores, omnibus passim episcopis et populis scripsit cognoscere. Quum malignos et impios Arius sibi imitandos duxerit, par est ut eandem cum illis ferat ignominiam. Quemadmodum igitur Porphyrius divinae pietatis hostis, iniquis de religione compositis libris, condignam reperit mercedem, per quam omnium futuris seculis probris obnoxius erit, plurimaque obruetur infamia, atque insuper impia ejus abolita sunt scripta: ita et nunc placitum nobis est Arium et Arianos suffragatores, Porphyrianos quidem nominari, ut quorum imitati sunt mores, eorum quoque obtineant appellationes. Si quod autem scriptum ab Ario compositum reperitur, ut igni id tradatur volumus, ut non modo improba ejus doctrina abrogetur, verum etiam ne monumentum quidem aliquod ejus relinquantur. Illud equidem praedictum volo, si quis libellum aliquem ab Ario conscriptum celare, nec continuo igni comburere, deprehensus fuerit, supplicium ei mortis esse constitutum. Illico namque in crimine tali comprehensus poenam sustinebit capitalem.

Plures etiam alias adversus eosdem ad loca omnia misit epistolas, verbis per ironiam ad simulationem compositis eis illudens, Nicomediensibus itidem, contra Eusebium et Theognidem scripsit; Eusebium perstringens, veluti Licinio aliquando faventem, sibi insidiantem, atque alium episcopum legere jubens: quod et factum est. Eas epistolas hoc loco apponere, ne longior esse videar, minus convenire putavi. Ac de his quidem haec tenus.

Sardicensis synodus. [Ann. Dom. ccccli. ex Spelm. vol. I. p. 46.]

Hoc anno celebratum Sardicēse est concilium in Dacia, contra Eusebianos, ubi coacti sunt trecenti episcopi, ex triginta sex provinciis, quarum unam esse Britanniam refert Athanasius, apologia secunda contra Arianos, "In magno," inquit, "Sardico concilio nostram innocentiam, plures quam trecenti epi-

scopi suis calculis comprobarunt; qui ex multis provinciis Aegypti, Libyae, Pentapoleos, etc. Hispaniarum, Galliarum, Britanniarum, eo se ad concilium contulerant." Et in epistola quam dedit ad Jovinianum, ait, "Britannicas ecclesias idem in fide sentire cum caeteris ecclesiis in Nicaeno concilio promulgata."

Quod Arcadio regnante, Pelagius Brito contra gratiam Dei superba bella suscepit. *Bed. Hist. Eccl. lib. I. cap. x.* [Ann. Dom. cccxciv. ibidem.]

Annō ab incarnatione Domini cccxciv. Arcadius, filius Theodosii, cum fratre Honorio, quadagesimus tertius ab Augusto regnum suscipiens, tenuit annos tredecim. Cujus temporibus Pelagius, Brito contra auxilium gratiae supernae venena suae perfidiae longe lateque dispersit, utens cooperatore Juliano de Campania, quem dudum amissi episcopatus intemperans cupido exagitabat. Quibus sanctus Augustinus, sicut et caeteri patres orthodoxi, multis sententiarum catholicarum millibus responderunt, nec eorum tamen dementiam corrigere valebant: sed quod gravius est, correpta eorum vesania, magis augescere contradicendo, quam favendo veritati, voluit emendari. Quod pulchre verbis heroicis Prosper rhetor insinuat, cum ait:

Contra Augustinum narratur serpere quidam
Scriptor, quem dudum livor adurit edax.
Quis caput obscuris contextum utcunque caver-
nis
Tollere humo miserum propulit anguic-
ulum?
Aut hunc fruge sua *aequorei pavere Britanni
Aut huic †Campano gramine corda tument.

Afferuit enim hominem sine gratia Dei posse salvari.

Unumquemque suis meritis propria voluntate ad justitiam regi.

Infantes sine peccato originali nasci: et tam insontes, quam insons fuit Adam ante praevaricationem. Nec etiam baptizandos esse ut a peccato solvantur: sed ut per adoptionem in regnum Dei admittantur. Qui etsi non baptizarentur, esse tamen eis extra regnum Dei aeternam beatam vitam.

Adam solum suo peccato laesum esse: eum-

que mortuum esse non ex culpa meritis, sed ex conditione naturae, qui mortuus fuisset etiam si non peccasset.

Mutas etiam dicebat orationes quae fiunt ab ecclesia, five pro infidelibus five fidelibus.

Arius autem presbyter asseruit Filium Dei creaturam esse, et Spiritum Sanctum ab ea creatum.

Has autem haereses Germanus Altifiodorensis episcopus praedicatione et miraculis extinxit anno Domini ccccxlix. Haec ille in vita S. Albani, Britannorum protomartyris.

Notae. **Aequorei Britanni*] Videtur Pelagii nomini alludere, quod in Cambria Britanniae parte aequorea seu pelagica natus sit, et Pelagius inde nuncupatus, hoc est aequoreus; Cambrico forte idiomate Morgan: nam mor aequor, pelagus; gan apud vel juxta significat.

†*Campano gramine*] Ideo dicit, quod auxilio Juliani de Campania, Capuani aliquando episcopi (Prospero Eclanensis postea nuncupati, ut corrigit Usser. in MSS. not. in locum) pestiferae haereseos suae vibrasset jacula, et in divum Augustinum multa scripsisset virulenter. Abbas erat antiquissimi celeberrimique Britonum coenobii Bangorensis, alias Banachorensis dicti. Audiatur Johannes Capragius Augustinensium apud nos fratrum suo aevo celeberrimus. "Circa ann. inquit, quadringentesimum quartum Pelagius Brito abbas illius famosi monasterii extitit: ubi duo millia monachorum et centum laboribus manuum vitam suam ducentium, sub uno abbate militarunt. Hic Pelagius auxilio utens Juliani de Campania, nuper ab episcopatu expulsi, haeresim sui nominis suscitavit."

Cur rarius in Britannia habentur synodi et concilia sub his seculis. Ibid. p. 47.

DESERTA jam a Romanis Britannia, Pictisque et Scotis omnia misere depraedantibus, Saxones ipsi, qui Britannis primo in subsidium venerant, hostes fiunt infestissimi; et quotidie novas e Germania evocantes copias, ferro et flamma indigenas pellunt, eorumque brevi potiuntur sedibus. Gens fera et barbara, paganorum etiam deliriis et superstitionibus omnino e-

brii: monasteria et ecclesias quas idolis suis non transponunt, incendunt, christianorum sacra diripiunt, ministrosque Dei conculcant, caedunt, et profligant. Tandem igitur imperatores ipsi christianae militiae Theonius, Londinensis archiepiscopus, et Thadiocus, archiepiscopus Eboracensis, "Videntes ecclesias sibi subditas solotenus destructas," dispersumque per
rupes

rupes et cavernas gregem suum nusquam apparere, cum reliquiis cleri sui, quae in tanto supersunt discrimine, in Cambriam confugerunt. Mat. Westm. an. DVI. Nullum hic interea ecclesiae specimen, nec conciliis locus aut

licentia. Exiguum etiam illud quod in ecclesia Britannorum gestum est ante adventum Augustini, praeterit aut omnino Beda, aut delibavit parcius.

Vita S. Patricii. Ex Probo in vita Patricii. Sigebert. in ann. ccccxxxii. Balaeo cent. i. c. xxxiv. Annal. Hollinsh. [Spelm. vol. I. p. 49.]

S. PATRICIUS in baptismo Suchat, Beda Sochet, alias Succetus, quibusdam Maun vel Manus, a S. Germano et Beda Magonius, plerisque Magnus ab eximia miraculorum et virtutum magnitudine cognominatus, Patricii nomen in ordinatione ad episcopatum accepit a Matthaeo archiepiscopo, inquit Florilegus, a Coelestino papa, ait Sigebertus, impostum.

Patrem Britonum habuit Calphurnium diaconum, Potiti presbyteri filium: matrem (ut ferunt) e Pannonia, Concam et Conchen, Beda Concessam, S. Martini, Trevirensis archiepiscopi sororem. Natus, inquit Beda, in villa Rosina, regionis Tiborniae (aliis Eiburniae) vel Neutriae, in vico Bannanae, Pembrochiensis agri ut quidam volunt, in marchii Angliae et Scotiae, ut probabilius alii, an. Dom. ccclxx. Quum esset puer tredecim annorum, cum fratre suo Riethi, et sorore Mila, aliisque multis, ad barbarorum insulam, puta Hiberniam, deVectus est, et apud quendam gentilem immittem regem in servitute detentus, ut inquit Probus, qui librum unum, cui titulus est: "Beati Patricii primi praedicatoris et episcopi totius Britanniae vita et actus," de eo composuit. Multa illic, ut apud alios vitae suae scriptores, Nennium, Jocelinum, Bedam, Vincentium, Antoninum, Capgravium, etc. ejus leguntur miracula: quorum, cum e Nennio prodigiosa aliquot recitasset Matthaeus Westmonasteriensis, qui et Florilegus nuncupatur, ita progreditur a Beda paululum circa patriam et captivitatem Patricii dissentaneus.

In pueritia autem, cum esset natione Hibernensis, a patre suo, cum duabus sororibus suis, in Scotiam venditus est cuidam homini, qui Cuulcu dicebatur, et porcarius ejus erat. Denique septendecimo aetatis suae anno a captivi-

tate ad patriam suam reversus est, et nutu Dei sacris literis eruditus, atque tandem Romam veniens, ibidem tempus suum protraherebat, donec eruditior haberetur; sanctasque percurrere scripturas, divina mysteria penetravit. Dumque ibidem moraretur, missus est Palladius episcopus a papa Coelestino ad Scotos ad Christum convertendos. Qui primo verbum Dei in Scotia praedicans, tandem ad Britanniam pervenit, et in terra Pictorum defunctus est. Audita vero morte Palladii, Patricius, Theodosio, et Valentiniano imperantibus, a papa Coelestino, ad partes occiduas missus est, ut vexillum sanctae crucis gentibus praedicaret. Cumque ad Britanniam pervenisset, praedicavit ibi verbum Dei, et a gentibus incolis grater est susceptus. Deinde ad Scotos se conferens, praedicavit verbum Dei, quod non potuit alligari. Tandem a Matthaeo archiepiscopo ad episcopalem gradum promotus, hoc nomen Patricii in ordinatione suscepit, qui Mannus antea vocabatur. Ordinati sunt etiam cum eo Anfilius et Iferninus, et caeteri nonnulli ad ordines inferiores, ut sub ipso duce Deo militarent. Tunc accepta benedictione in nomine sanctae Trinitatis, navem ascendit, et perveniens ad Britanniae insulam, praedicavit ibi multis diebus. Deinde ad Hiberniam succinctus ad evangelium, cum thesauris spiritualibus transcendens baptizavit eos, multos Deo lucrificans, et annis ibi octoginta evangelizans, ubi tandem ad culmen religionis provectus, plenus dierum, et virtutum signis clarus multimodis quievit in Christo.

Haec Matt. Westm. A Coelestino, inquit Sigebertus, archiepiscopus Scottorum (sic Hibernenses olim vocabant) ordinatus sexaginta annos, signis, sanctitate, doctrina excellens, Hiberniam convertit ad Christum.

De conversione Pictorum ad fidem.

[Ann. Dom. DLXV.

S I Q U I D E M anno Incarnationis dominicae quingentesimo sexagesimo quinto, quo tempore gubernaculum Romani imperii post Justinianum Justinus Minor accepit, venit de Hibernia presbyter, et abbas habitu et vita monachi insignis nomine Columba, Britanniam, praedicaturus verbum Dei provinciis septentrionalium Pictorum, hoc est, eis quae arduis atque horrentibus montium jugis ab australibus eorum sunt regionibus sequestratae. Namque ipsi australes Picti, qui intra eosdem montes habent sedes, multo ante tempore, ut perhibent, relicto errore idololatriae fidem veritatis acceperant, praedicante eis verbum Nyma, e-

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Ex Beda Hist. Eccles. lib. III. cap. iv.

Ibidem p. 64. seq.]

piscopo, reverendissimo et sanctissimo viro de natione Britonum, qui erat Romae regulariter fidem et mysteria veritatis edoctus, cujus sedem episcopatus, sancti Martini episcopi nomine, et ecclesia insignem, ubi ipse etiam corpore una cum pluribus sanctis requiescit, jam nunc gens Anglorum obtinet. Qui locus ad provinciam Berniciorum pertinens, vulgo vocatur ad Candidam Casam, eo quod ibi ecclesiam de lapide insolito Britonibus more fecerit. Venit autem Britanniam Columbanus regnante Pictis Bridio, filio Meilochon rege potentissimo, nono anno regni ejus, gentemque illam verbo et exemplo ad fidem Christi convertit. Unde et praefatam

8 T

insulam

insulam ab eis in possessionem monasterii faciendi accepit. Neque enim magna est, sed quasi familiarum quinque juxta aestimationem Anglorum, quam successores ejus usque hodie tenent, ubi et ipse sepultus est, cum esset annorum septuaginta septem, post annos circiter triginta et duos ex quo ipse Britanniam praedicaturus adiit. Fecerat autem, priusquam Britanniam veniret, monasterium nobile in Hibernia, quod a copia roborum Dearmach lingua Scottorum, hoc est, campus roborum cognominatur. Ex quo utroque monasterio per plurima exinde monasteria per discipulos ejus et in Britannia et in Hibernia propagata sunt. In quibus omnibus idem monasterium insulanum, in quo ipse requiescit corpore, principatum tenet. Habere autem solet ipsa insula rectorem semper abbatem presbyterum, cujus juri et omnis provincia, et ipsi etiam episcopi ordine inusitato debeant esse subjecti, juxta exemplum primi doctoris illius, qui non episcopus, sed presbyter extitit et monachus. De cujus vita et verbis nonnulla a discipulis ejus feruntur scripta haberi. Verum qualiscunque fuerit ipse, nos hoc de illo certum tenemus, quod reliquit successores magna continentia ac divino amore regularique institutione insignes. In tempore quidem summae festivitatis dubios circulos sequentes, utpote quibus longe ultra orbem positus, nemo synodalia paschalis observantiae de-

creta porregerat, tantum ea quae in prophetis, evangelicis, et apostolicis literis discere poterant, pietatis et castitatis opera diligenter observantes: permansit autem hujusmodi observantia paschalis apud eos tempore non pauco, hoc est, usque ad annum dominicae Incarnationis septingentesimum decimum sextum per annos centum quinquaginta. At tunc veniente ad eos reverendissimo et sanctissimo patre et sacerdote Egberto, de natione Anglorum, qui in Hibernia diutius exulaverat pro Christo, eratque doctissimus in scripturis, et longaeva vitae perfectione eximius, correcti sunt per eum, et ad verum canonicumque Paschae diem translati. Quem tamen et antea non semper in luna quartadecima cum Judaeis, ut quidam rebantur, sed in die quidem dominica, alia tamen quam decebat hebdomada, celebrabant. Sciebant enim, ut Christiani, Resurrectionem dominicam, quae prima Sabbati facta est, prima Sabbati semper esse celebrandam. Sed ut barbari et rustici, quando eadem prima Sabbati, ea quae nunc dominica dies cognominatur, veniret, minime didicerant. Verum quia gratia charitatis fervere non omiserant, hujus quoque notitiam rei ad perfectum percipere meruerunt, juxta promissum apostoli dicentis: et si quid aliter sapitis, et hoc quoque vobis Deus revelabit: de quo plenius in sequentibus suo loco dicendum.

Vita et epistolae nonnullae S. Gregorii in causa Britannicae ecclesiae: ac primum vita ejus. [Ex Spelm. vol. I. p. 66. seqq.]

JAM ad res gestas S. Gregorii in conversione gentis Anglosaxonum pervenimus, et vitam ejus (ut a Bedae lib. II. c. i. datur) praefigendam censemus. "De quo," inquit ille, "nos convenit, quia nostram, id est, Anglorum gentem quae potestate satanae ad fidem Christi sua industria convertit, latiore in nostra historia ecclesiastica facere sermonem, quem recte nostrum appellare possumus et debemus apostolum: quia cum primum in toto orbe gereret pontificatum, et conversis jamdudum ad fidem veritatis esset praelatus ecclesiis, nostram gentem eatenus idolis mancipatam, Christi fecit ecclesiam, ita ut apostolicum illum de eo liceat nobis proferre sermonem: quia etsi aliis non est apostolus, sed tamen nobis est. Nam signaculum apostolatus ejus nos sumus in Domino."

Erat autem natione Romanus, ex patre Gordiano, genus a proavis non solum nobile, sed et religiosum ducens. Deinde Felix, ejusdem sedis apostolicae quondam episcopus, vir magnae gloriae in Christo et ecclesia ejus fuit avus. Sed et ipse nobilitatem religionis non minore quam parentes et cognati virtute devotionis exercuit. Nobilitatem vero illam, quam ad seculum videbatur habere, totam ad nanciscendam supernae gloriae dignitatis divina gratia largiente convertit. Nam mutato repente seculari habitu, monasterium petiit, in quo tanta perfectionis gratia coepit conversari, ut, sicut ipse postea flendo attestari solebat, animo illius labentia cuncta subteressent, ut rebus om-

nibus quae volvuntur emineret, ut nulla nisi caelestia cogitare soleret, ut etiam retentus corpore ipsa jam carnis claustra contemplatione transfiret, ut mortem quoque, quae pene cunctis poena est, videlicet, ut ingressum vitae et laboris sui praemium amaret. Hoc autem ipse de se, non profectum jactando virtutum, sed deslendo potius defectum, quem, ut referre consueverat, sibi per curam pastorem incurrisse videbatur. Denique tempore quodam secreto, cum diacono suo Petro colloquens, enumeratis animi sui virtutibus priscis mox dolendo subjunxit; at nunc ex occasione curae pastoralis secularium hominum negotia patitur, et post tam pulchram quietis suae speciem terreni actus pulvere foedatur. Cumque se pro condescensione multorum ad exteriora sparserit, etiam cum interiora appetit, ad haec proculdubio minor rediit. Perpendo itaque quid tolero, perpendo quid amisi, dumque intueor illud quod perdidici, fit hoc gravius quod porto. Haec quidem sanctus vir ex magnae humilitatis intentione dicebat. Sed nos credere decet, nihil eum monasticae perfectionis perdidisse, occasione curae pastoralis, imo potiore tunc sumpsisse profectum de labore conversionis multorum, quam de propriae quondam quiete conversationis habuerat, maxime quia et pontificali functus officio domum suam monasterium facere curavit. Et dum primum de monasterio abstractus, ad ministerium altaris ordinatus, atque Constantinopolim apocrisarius, ab apostolica sede directus est,

est, non tamen in terreno conversatus palatio propositum vitae caelestis intermisit. Nam quosdam fratrum ex monasterio suo, qui eum gratia germanae charitatis ad regiam urbem secuti sunt, in tutamentum coepit observantiae regularis habere, videlicet ut eorum semper exemplo, sicut ipse scribit, ad orationis placidum littus, quasi anchorae fune restringeretur, cum incessabili causarum secularium impulsu fluctuaret, concussamque seculi actibus mentem inter eos quotidie per studiosae lectionis roboraret colloquium.

Horum ergo consortio non solum a terrenis est munitus incurfibus, verum etiam ad caelestis exercitia vitae magis magisque succensus. Nam hortati sunt eum, ut librum beati Job magnis involutum obscuritatibus mystica interpretatione discuteret, neque negare potuit opus, quod sibi fraternus amor multis utile futurum imponebat. Sed eundem librum, quomodo juxta literam intelligendus, qualiter ad Christi et ecclesiae sacramenta referendus, quo sensu unicuique fidelium sit aptandus, per triginta quinque libros expositionis, miranda ratione perdocuit. Quod videlicet opus in regia quidem urbe apocrisarius inchoavit, Romae autem jam factus pontifex implevit.

Qui cum esset adhuc regia in urbe positus, nascentem ibi novam haeresim de statu nostrae resurrectionis, cum ipso quo exorta est initio, juvante se gratia catholicae veritatis attrivit: siquidem Euthycius, ejusdem urbis episcopus dogmatizabat, corpus nostrum in illa resurrectionis gloria impalpabile, ventis aerique subtilius esse futurum. Quod ille audiens, et ratione veritatis, et exemplo dominicae Resurrectionis probavit hoc dogma orthodoxae fidei omnibus modis esse contrarium. Catholica etenim fides habet, quod corpus nostrum in illa immortalitatis gloria sublimatum, subtile quidem sit per effectum spiritualis potentiae, sed palpabile per veritatem naturae, juxta exemplum dominici corporis, de quo a mortuis suscitato, dicit ipse discipulis: “Palpate et videte, quia spiritus carnem et ossa non habet, sicut me videtis habere.” In cujus assertione fidei venerabilis pater Gregorius in tantum contra nascentem haeresim novam laborare contendit, tanta hac instantia juvante etiam piissimo imperatore Tiberio Constantino comminuit, ut nullus exinde sit inventus, qui ejus resuscitator existeret.

Alium quoque librum composuit egregium, qui vocatur Pastoralis, in quo manifesta luce patefecit, qualis ad ecclesiae regimen assumi, qualiter ipsi rectores vivere, qua discretione singulas quasque audientium instruere personas, et quanta consideratione propriam quotidie debeant fragilitatem pensare.

Sed et homilias evangelii numero quadraginta composuit, quas in duobus codicibus aequa forte distinxit.

Libros etiam Dialogorum quatuor fecit, in quibus rogatu Petri diaconi sui virtutes sanctorum, quos in Italia clariores nosse vel audire poterat, ad exemplum vivendi posteris collegit, ut, sicut in libris Expositionum suarum quibus sit virtutibus insudandum edocuit, ita etiam de-

scriptis sanctorum miraculis, quae virtutum earundem sit claritas, ostenderet.

Primam quoque et ultimam Ezechielis prophetae partem, quae videbantur obscuriores, per homilias viginti duas, quantum lucis intus habeant, demonstravit.

Excepto libello Responsorum, quem ad interrogationes sancti Augustini primi Anglorum gentis episcopi scripsit, ut supra docuimus, totum ipsum libellum his inferentes historiis, libello quoque synodico, quem cum episcopis Italiae de necessariis ecclesiae causis utilissimum composuit: et familiaribus ad quosdam literis. Quod eo magis mirum est, tot eum ac tanta condere volumina potuisse, quod omni pene juventutis suae tempore, ut verbis ipsius loquar, crebris viscerum doloribus cruciabatur, horis momentisque omnibus fracta stomachi virtute lassescibat, lentis quidem, sed tamen continuis febribus anhelabat. Verum inter haec dum sollicitus pensaret, quia Scriptura teste, omnis filius, qui recipitur, flagellatur, quo malis praesentibus durius deprimebatur, eo de aeterna certius praesumptione respirabat.

Haec quidem de immortali ejus dicta sint ingenio, quod nec tanto corporis potuit dolore restringi. Nam alii quidem pontifices construendis ornandisque auro vel argento ecclesiis operam dabant, hic autem totus erga animarum lucra vacabat. Quicquid pecuniae habuerat, hoc sedulus dispergere ac dare pauperibus curabat, ut justitia ejus maneret in seculum seculi, et cornu ejus exaltaretur in gloria, ita ut illud beati [cap. xxix. 11.] Job veraciter dicere possit: “Auris audiens beatificabat me, et oculus videns testimonium reddebat mihi, eo quod liberassem pauperem vociferantem et pupillum, cui non esset adjutor. Benedictio perituri super me veniebat, et cor viduae consolatus sum. Justitia indutus sum, et vestivi me sicut vestimento et diademate judicio meo. Oculus fui caeco, et pes claudus. Pater eram pauperum, et causam quam nesciebam, diligentissime investigabam. Conterebam molas iniqui, et de dentibus illius auferebam praedam.” Et paulo post [Job xxxi. 16.] “Si negavi,” inquit, “quid volebant pauperibus et oculos viduae expectare feci. Si comedi bucellam meam solus, et non comedit pupillus ex ea: quia ab infantia mea crevit mecum miseratio, et de utero matris meae egressa est mecum.”

Ad cujus pietatis et justitiae opus pertinet etiam hoc, quod nostram gentem per praedicatorum quos huc direxit, de dentibus antiqui hostis eripiens, aeternae libertatis fecit esse participem. Cujus fidei et saluti congaudens quamque digna laude commendans [in lib. super Job.] ipse dicit in expositione beati Job. “Ecce lingua Britanniae, quae nihil aliud noverat quam barbarum frendere, jamdudum in divinis laudibus Hebraeum coepit Alleluja resonare. Ecce quondam tumidus, jam substratus sanctorum pedibus, servit oceanus, ejusque barbaros motus, quos terreni principes edomare ferro nequiverant, hos pro divina formidine sacerdotum ora simplicibus verbis ligant: et qui catervas pugnantium infidelis nequaquam

quaquam metueret, jam nunc fidelis humilium linguas timet. Quia enim perceptis caelestibus verbis, clarescentibus quoque miraculis, virtus ei divinae cognitionis infunditur, ejusdem divinitatis terrore refraenatur, ut prava agere metuat, ac totis desideriis ad aeternitatis gratiam pervenire concupiscat." Quibus verbis beatus Gregorius hoc quoque declarat, quod sanctus Augustinus et socii ejus non sola praedicatione verborum, sed etiam caelestium ostensione signorum gentem Anglorum ad agnitionem veritatis perducebant. Fecit inter alia beatus papa Gregorius, ut in ecclesiis beatorum apostolorum Petri et Pauli super corpora eorum missae celebrarentur. Sed et in ipsa missarum celebratione tria verba maximae perfectionis plena superadjecit, "Diesque nostros in tua pace disponas, atque ab aeterna damnatione nos eripi, et in electorum tuorum jubeas grege numerari."

Rexit autem ecclesiam temporibus imperatorum Mauricii et Focatis. Secundo autem ejusdem Focatis anno transiens ex hac vita migravit ad veram, quae in caelis est, vitam. Sepultus vero est corpore in ecclesia beati Petri apo-

stoli ante secretarium, die quarto iduum Martiarum: quandoque in ipso cum caeteris sanctae ecclesiae pastoribus resurrecturus in gloria. Scriptumque est in tumba ipsius epitaphium hujusmodi:

Suscipe terra tuo corpus de corpore sumptum,
Reddere quod valeas vivificante Deo.
Spiritus astra petit, leti nil jura nocebunt,
Cui vitae alterius mors magis ipsa via est.
Pontificis summi hoc clauduntur membra sepulchro,
Qui innumeris semper vivit ubique bonis.
Esuriem dapibus superavit, frigore veste,
Atque animas monitis texit ab hoste sacris.
Implebatque actu, quicquid sermone docebat,
Esset ut exemplum, mystica verba loquens.
Ad Christum Anglos convertit pietate magistra,
Acquirens fidei agmina gente nova.
Hic labor, hoc studium, haec tibi cura, hoc pastor agebas,
Ut Domino offerres plurima lucra gregis.
Hisque Dei consul factus laetare triumphis,
Nam mercedem operum jam fine fine tenes.

Epistola Gregorii, ut Augustinum et socios benigne suscipiat, et una Candidum.

[III. epistola est in Spelm. vol. I. p. 73. seq.]

REVERENDISSIMO et sanctissimo fratri Etherio coepiscopo, Gregorius, servus servorum Dei. Licet apud sacerdotes habentes Deo placitam charitatem, religiosi viri nullius commendationis indigeant; quia tamen aptum scribendi tempus se ingessit, fraternitati vestrae nos transmittere scripta curavimus, insinuantes latorem praesentium Augustinum, servum Dei, de cujus certi sumus studio, cum aliis servis Dei, illuc nos pro utilitate animarum auxiliante Domino direxisse. Quem necesse est ut sacerdotali studio sanctitas vestra adjuvare, et sua ei solatia praebere festinet. Cui etiam ut promptiores ad suffragandum possitis existere, causam vobis injunximus subtiliter indicare. Scientes quod ea cognita, tota vos propter Deum devotione ad solatiandum, quia res exigit, commodetis.

Candidum praeterea presbyterum communem filium, quem ad gubernationem patrimonioli ecclesiae nostrae transmisimus, charitati vestrae in omnibus commendamus. [Reliqua addit Beda lib. I. H. E. c. xxv.] Deus te incolumen cu-

stodiat, reverendissime frater. Datae die decima calendarum Augustarum, imperante domino nostro Mauritio Tiberio piissimo Augusto anno decimo quarto; post consulatum ejusdem domini nostri decimo tertio; indictione decima quarta.

Notae. Epistola haec ex Beda lib. I. H. E. c. xxv. Non datur autem in Gregorii registro cum hac inscriptione. Vid. epist. V. seq. Ex lib. V. Indict. 14. epist. LII. "Misit," inquit, "tunc iisdem, intellige Augustino et sociis, venerandus pontifex ad Etherium, Arelatensem archiepiscopum, ut Augustinum Britanniam pergentem benigne susciperet, literas quarum iste est textus. His addit Usser. MSS. not. in locum. Ita Beda lib. I. cap. xxiv. et xxvii. quem Lugdunensem tamen antistitem eum fuisse Gregorius Turonensis nos doceat lib. X. hist. Francor. cap. xxviii. et vetus vitae Austregisili, Bituricensis episcopi scriptor apud Surium Mai. 20. Arelatenensis vero tum fuerit Virgilius, cui epistola V. pag. 717. et XXII. pag. 721. postea habetur directa.

Epistola Gregorii Candido presbytero eunti ad patrimonium Galliae. Ex lib. v. ep. x. monium sancti Petri commendat in Galliis. [IV. epistola est ibid. p. 74]

PERGENS auxiliante Domino Deo nostro Jesu Christo, ad patrimonium quod est in Galliis gubernandum; volumus ut dilectio tua ex solidis quos acceperit, vestimenta pauperum vel pueros Anglos, qui ab annis decem et septem vel decem et octo sunt in monasteriis dati, ut Deo proficiant, comparet, quatenus solidi Galliarum, qui in terra nostra expendi non possunt, apud locum proprium utiliter expendantur. Si quid vero de pecuniis reddituum, quae

dicuntur ablatae, recipere potueris; ex his quoque vestimenta pauperum comparare te volumus; vel, sicut praefati sumus, pueros qui in omnipotentis Dei servitio proficiant. Sed quia pagani sunt qui illic inveniri possunt; volo ut cum eis presbyter transmittatur, ne quid aegritudinis contingat in via, ut quos morituros conspexerit, debeat baptizare; ita igitur tua dilectio faciat, ut haec diligenter implere festinet.

Quinta,

QUINTA, quam Spelmannus Vol. I. p. 74. recitat, epistola habetur pagina praecedente, cum alia inscriptione, quam ex Beda hausit.

In Gregorii registro Pelagio de Turonis, et Sereno de Massilia, episcopis Galliarum a paribus, inscripta est.

Epistola Gregorii Virgilio episcopo Arelatensi, metropolitano Galliae, lib. v. epist. liii. Augustinum commendat quem in Angliam propagandi evangelii causa transmiserat. [VI. est in Spelm. vol. I. p. 75.]

QUAMVIS fraternitatem vestram bonis esse intentam operibus, et sponte se in causis exhibere Deo placitis confidamus: verum tamen utile esse fraterna vos alloqui veritate credimus, ut solatia, quae vos ultro decet impendere, nostris quoque provocati epistolis augeatis. Atque ideo indicamus sanctitati vestrae, Augustinum, servum Dei praesentium portitorem, cujus zelus et studium bene est nobis cognitum, cum aliis servis Dei pro animarum nos illuc compendio transmisisse, sicut ipse vobis coram positus poterit indicare. In qua re oratione vos eum et auxiliis adjuvare necesse est, atque ubi opus exegerit solatiorum vestrorum ei praebere suffragia, et paterna ac sacerdotali illum consolatione, sicut convenit, refovere: quatenus dum sanctitatis vestrae fuerit solamina consecutus, si quid Deo nostro lucrifacere,

sicut optamus, valuerit, et vos possitis pariter mercedem acquirere, quia ad bona opera suffragii vestri devote copiam ministratis.

Candidum autem presbyterum, communem filium et patrimoniolum ecclesiae nostrae fraternitas vestra, quippe ut unanimis nobis, studeat habere commendatum, ut aliquid inde pauperum alimoniis sanctitate vestra valeat adjuvante proficere. Quia igitur patrimoniolum ipsum per annos plurimos praedecessor vester tenuit, et collectas apud se pensiones servavit; fraternitas vestra, cujus sint res, vel cui erogentur, consideret, atque eas animae suae respectu superscripto filio nostro Candido, presbytero nobis restituat dirigendas. Nam valde est execrabile, ut quod a regibus gentium servatum est, ab episcopis dicatur ablatum.

Epistola Gregorii Desiderio Viennensi, et Siagrio Augustodunensi episcopis Galliae a paribus, epist. lv. Augustinum commendat. [VII. est ibidem.]

DE fraternitatis vestrae sincera charitate bene confidimus, quod amore beati Petri, apostolorum principis hominibus nostris vestra devota solatia commodetis, praesertim dum causae qualitas exigit, ubi etiam sponte concurrere et laborare magis optetis. Indicamus itaque sanctitati vestrae nos Augustinum, servum Dei praesentium portitorem, cujus zelus et studium bene nobis est cognitum, cum aliis servis Dei pro animarum illic causa, disponente Domino direxisse: cujus relatione quid sibi injunctum sit, subtiliter agnoscens, fraternitas vestra ei

modis omnibus, in quibus causa poposcerit, impendat solatia, ut boni operis adiutores, sicut decet et convenit, possitis existere. Ita ergo fraternitas vestra in hac re se devotam studeat demonstrare, ut bona quae de vobis opinione narrante didicimus, vera esse opere comprobemus.

Dilectissimum vero communem filium Candidum, cui patrimoniolum ecclesiae nostrae commisimus in illis partibus constitutum, vobis per omnia commendamus.

Epistola Gregorii Protasio, episcopo de Aquis Galliae, ut Virgilio episcopo, de pensionibus ecclesiae insinuet, lib. v. epist. lv. [VIII. est ibid. p. 76.]

QUANTUS in vobis beati Petri apostolorum principis amor excellat, non solum officii vestri praerogativa, sed etiam devotio, quam circa utilitates ecclesiae ipsius geritis, patefecit. Quem quia Augustino servo Dei praesentium latore cognovimus referente, de affectu et veritatis studio, quod in vobis est, valde congaudemus, et gratias agimus: quia etsi corpore absentes, mente tamen et animo nobiscum vos esse monstratis, quippe erga quos charitatem fraternam, ut convenit, exhibetis. Ut igitur bona, quae de vobis praedicavit opinio, rerum possit veritas confirmare, Virgilio fratri et coepiscopo nostro dicite, ut pensiones quas praedecessor ejus per annos plurimos de patrimoniolo nostro percepit, et apud se retinuit, ad nos,

quia pauperum res sunt, studeat destinare. Qui si forte aliquo se modo, quod non credimus, excusare voluerit, vos qui veritatem ipsam subtilius nostis, revera qui in ecclesia ipsa tempore illo curam vice Domini gerebatis, qualiter se habeat causa differite, et ne res sancti Petri et pauperum ejus apud se retinere debeat, admonete. Sed etsi fortasse hominibus nostris necessarium fuerit, vestrum in causa testimonium non negare, ut tam pro veritatis quam pro voluntatis vestrae devotione beatus Petrus apostolus, cujus amore haec facitis, sua vobis et hic et in futura vita intercessione respondeat. Candidum presbyterum, communem filium, cui patrimoniolum ipsum commisimus, sanctitati vestrae magnopere commendamus.

Epistola Gregorii Arigio, Patricio de Gallia, lib. v. epist. lvii. Augustinum episcopum, et Candidum presbyterum commendat. [IX. est in Spelm. vol. I. p. 76.]

QUANTA in vobis bonitas, quantaque mansuetudo cum Christo placita charitate resplendeat, latore praesentium Augustino servo Dei referente comperimus: atque omnipotenti Deo gratias agimus, qui haec vobis pietatis suae dona concessit, per quae inter homines valde laudabiles, et ante conspectum ipsius, quod est veraciter utile, gloriosi possitis existere. Oramus ergo omnipotentem Dominum, ut haec in vobis quae concessit dona multiplicet, et sua vos cum omnibus vestris protectione custodiat, et ita actionem gloriae vestrae in hoc seculo disponat, ut et hic vobis et in futura gloria quod magis optandum est, vita proficiat. Salutantes

itaque gloriam vestram, paterna dulcedine petimus, ut lator praesentium, et servi Dei qui cum eo sunt, vestra, in quibus necesse fuerit, solatia consequantur: quatenus dum vestrum favorem invenerint, injuncta sibi melius, adjuvante Domino valeant adimplere.

Praeterea filium nostrum Candidum presbyterum, quem ad gubernationem patrimonii ecclesiae nostrae, quod illic est, transmisimus, vobis per omnia commendamus, confidentes a Deo nostro vos mercedis vicem recipere, si rebus pauperum solatia sua, gloria vestra, devota mente praestiterit.

Epistola Gregorii Brunichildae, reginae Francorum, lib. vii. epist. v. De pallio Siagrio episcopo concedendo, etc. [XII. est ibid.]

EPISTOLA longa est: nos igitur haec excerptimus, quae inter alia de aliis, sic de Augustino. "Et quid in Augustino fecerit [Siagrius, episcopus Augustodunensis] audientes, Redemptorem nostrum benedicimus. Quia eum sacerdotis nomen etiam operibus implere sentimus." Sic praeterea inferius: "Qualiter autem se excellentia vestra erga fratrem et coepiscopum nostrum Augustinum exhibuerit, quan-

tamque illi sibi Deo aspirante, charitatem impenderit, diversorum fidelium relatione cognovimus; pro qua gratias referentes, divinae potentiae misericordiam deprecamur, ut et hic vos sua protectione custodiat, et sicut inter homines, ita quoque et post multorum annorum tempora, in aeterna faciat vita regnare." [In fine: "Dat. mense Octobris, indictione prima."] Haec non sunt in edit. Froben. p. 903.

Epistola Gregorii Eulogio, episcopo Alexandrino, lib. vii. epist. xxx. Ubi commemorat in sancta Chalcedonensi synodo papam Romanum universalem appellatum. [XIII. ibidem.]

COMMUNIS filius praesentium lator, sanctitatis vestrae scripta deferens, aegrum me reperit, aegrum reliquit, qua ex re contigit ut ad largum vestrae beatitudinis fontem brevis epistolae me vix parva potuisset aqua reservare. Superni autem muneris fuit, ut in dolore corporis positus suavissimae vestrae sanctitatis scripta susceperem, quae me de doctrina Alexandrinae ecclesiae, de conversione haereticorum, de concordia fidelium sublimiter laetificaret: quatenus ipsa mentis laetitia immanitatem mihi molestiae temperaret.

Et quidem de bonis vestris nova semper exultatione gaudemus, sed tamen ita nos perfecte agere, nova esse nullo modo deputamus. Quod enim crescit sanctae ecclesiae populus, quod ad caeleste horreum spirituales segetes multiplicantur, hoc de omnipotentis Dei gratia, quae in beatissimis vobis large influit, nunquam habuimus incertum. Gratias itaque omnipotenti Deo solvimus, quia impletum videmus in nobis esse, quod scriptum est: ubi plurimae segetes, ibi manifesta est fortitudo boum. Si enim bos fortis aratrum linguae in terram cordis audientium non transfixisset, tanta fidelium seges minime surrexisset. Sed quoniam vere in bonis

quae agitis scio, quod et aliis congaudetis, vestrae vobis gratiae vicem reddo, et non dissimilia nuncio: quia dum gens Anglorum in mundi angulo posita, in cultu lignorum ac lapidum perfidia nunc usque remaneret, ex vestrae mihi orationis adjutorio placuit, ut ad eam monasterii mei monachum in praedicationem transmittere Deo auctore debuissim. Qui data a me licentia, a Germaniarum episcopis episcopus factus, cum eorum quoque solatiis ad praedictam gentem in finem mundi productus est, et jam nunc de ejus salute et opere ad nos scripta pervenerunt: quia tantis miraculis vel ipse, vel hi qui cum eo transmissi sunt, in gente eadem coruscant, ut apostolorum virtutes in signis quae exhibent, imitari videantur. In solennitate autem dominicae Nativitatis, quae hac prima indictione transacta est, plus quam decem millia Angli ab eodem nuntiati sunt fratre et coepiscopo nostro baptizati. Quod idcirco narravi, ut cognoscatis quid in Alexandrino populo loquendo, et quid in mundi finibus agitis orando. Vestrae enim orationes sunt in eo loco ubi non estis, quorum operationes sanctae monstrantur in eo loco in quo estis.

Praeterea

Praeterea de Eudoxii haeretici persona, de cuius errore in Latina lingua nihil reperi, mihi a vestra beatitudine largissime gaudeo satisfactum. Virorum quippe fortissimorum Basilii, Gregorii, atque Epiphanii testimonia protulistis, et manifeste peremptum cognoscimus eum, in quem heroes nostri tot jacula dederunt.

De his vero erroribus qui nunc in Constantinopolitana ecclesia probantur exorti, doctissime omnia, et ut iudicium tantae sedis proferre decuit, respondistis. Unde omnipotenti Deo gratias agimus, quia adhuc arcae Dei insunt tabulae Testamenti. Quid est enim sacerdotale cor nisi arca Testamenti? in qua quia spiritalis doctrina viget, proculdubio tabulae legis jacent.

Indicare quoque vestra beatitudo studuit, jam se quibusdam non scribere superba vocabula, quae ex vanitatis radice prodierunt, et mihi loquitur, dicens: sicut iussistis. Quod verbum iussionis peto a meo auditu removete, quia scio quis sum, qui estis. Loco enim mihi fratres estis, moribus patres. Non ergo iussi, sed quae utilia visa sunt, indicare curavi. Non tamen invenio vestram beatitudinem, hoc ipsum quod memoriae vestrae intuli, perfecte retinere voluisse. Nam dixi, nec mihi vos, nec cuiquam alteri tale aliquid scribere debere: et ecce in praefatione epistolae, quam ad meipsum qui prohibui direxistis, superbae appellationis verbum universalem me papam dicentes, imprimere curastis. Quod peto dulcissima mihi sanctitas vestra ultra non faciat: quia vobis sub-

trahitur quod alteri plus, quam ratio exigit, praebetur. Ego enim non verbis quaero prosperari, sed moribus. Nec honorem esse deputo, in quo fratres meos honorem suum perdere cognosco. Meus namque honor est honor universalis ecclesiae. Meus honor est fratrum meorum solidus vigor. Tunc ego vere honoratus sum, cum singulis quibusque honor debitus non negatur. Si enim universalem me papam vestra sanctitas dicit, negat se hoc esse, quod in me fatetur universum. Sed absit hoc. Recedant verba quae vanitatem inflant, et charitatem vulnerant. Et quidem in sancta Chalcedonensi synodo, atque post a subsequentibus patribus hoc decessoribus meis oblatum vestra sanctitas novit. Sed tamen nullus eorum uti hoc unquam vocabulo voluit, ut dum in hoc mundo honorem sacerdotum diligerent omnium, apud omnipotentem Deum custodirent suum. Proinde debitum salutationis alloquium solvens peto, ut in sanctis orationibus vestris mei memores esse dignemini: quatenus a peccatorum meorum nexibus, quia meis meritis non valeo, vestris intercessionibus me Dominus absolvat.

Nota. Haud candide in hac epistola actum est a titulorum ascriptore. Nam in Chalcedonensi synodo papam Romanum universalem appellatum fuisse ait: non una referens repudiatum a tunc papa et ab omnibus ejus successoribus ut ostendit Gregorius, fuisse vocabulum, sed ab ipso etiam Gregorio in hac ipsa epistola vehementer explosum: quod illi tamen ne vel apice placuit in titulo annotandum.

Epistola Gregorii Siagrio, episcopo Augustodunensi, lib. vii. epist. cxii. De conversione gentis Anglorum, et Augustino episcopo, et de synodo. [XIV. est in Spelm. vol. I. p. 80. seq.]

MAGISTRA bonorum omnium charitas, quae nil sapit extraneum, nil asperum, nil confusum, ita exercet corda et corroborat, ut nil grave, nil difficile existimet, sed fiat totum dulce quod agitur. Hujus igitur cum sit proprium nutrire concordiam, servare conjuncta, dissociata conjungere, prava dirigere, et virtutes caeteras perfectionis suae munimine solidare: quisquis in ejus radices se inserit, nec a viriditate deficit, nec fructibus inanescit: quia humorem foecunditatis opus efficax non amittit. Atque ideo multum tibi condelector atque congaudeo, quod sic eadem charitate te praeditum multorum testificatione comperio, ut et ipse quae sacerdotis sunt decenter exhibeas, et aliis te laudabiliter imitandum ostendas. Quia igitur in praedicationis opere, quamdiu cogitans Anglorum genti per Augustinum quondam monasterii mei praepositum, nunc fratrem et coepiscopum nostrum impendere studui, ita sollicitum atque devotum, adiutoremque in omnibus te, ut oportuit, fuisse cognovimus, ut magnum me sibi fraternitas tua hac de re faceret debitorem.

Tantae rei consideratione commonitus, ne infructuosus erga te viderer existere, fraternitatis tuae petitionem nulla pertuli ratione post-

ponere. Proinde secundum postulationis tuae desiderium pallii te usu, quod inter ecclesiam tuam habere debeas, ad sacra tantum missarum solennia celebranda, Deo auctore, praevidimus honorandum. Quod tamen ita tibi dandum esse decrevimus, si prius per synodi definitionem emendari promiseris, quae corrigenda mandavimus: quia dignum profecto esse credimus, ut cum mentis gravitate qua Deo te propitio polere didicimus, habitus quoque exterioris clarior in te cultus accresceret: praesertim cum te hunc non ad superfluae elationis pompam, sed pro genio et honore tuae arbitramur ecclesiae petivisse. Cujus ne indumenti munificentiam nudam videamur quodammodo contulisse, hoc etiam pariter prospeximus concedendum, ut metropolitae suo per omnia loco et honore servato, ecclesia civitatis Augustodunae, cui omnipotens Deus praeesse te voluit, post Lugdunensem ecclesiam esse debeat, et hunc sibi locum et ordinem ex nostrae auctoritatis indulgentia vindicare. Caeteros vero episcopos secundum ordinationis suae tempus, sive ad consedendum in concilio, sive ad subscribendum, vel in qualibet alia re sua attendere loca decernimus, et suorum sibi praerogativam ordinum vindicare: quia omnino rationis ordo nos admonet, ut cum

usu

usu pallii aliqua simul, sicut diximus, largiri privilegia debeamus. Sed quoniam cum honoris augmento, cura quoque sollicitudinis debet accrescere, ut cultui vestium actionis quoque ornamenta conveniant: oportet ut enixius in cunctis se studiis vestra fraternitas exerceat. Et circa subjectorum actus sit cura vigilans, ut vestrum illis exemplum instructio et vita magistra sit. Linguae vestrae exhortatione discant quod metuant, et doceantur quod diligant, ut dum talenta credita lucro multiplicata reddideris, in die retributionis audire sis meritis: "Euge serve bone et fidelis, intra in gaudium Domini tui:" curam praeterea congregandae syn-

odi, quam vobis atque aliis fratribus nostris pro illicitarum rerum prohibitionem fiendam scripsimus, vestrae specialiter sollicitudini noveritis incumbere. Unde quia praecellentissimos filios nostros Francorum reges magnam vobis novimus dilectionem impendere, omni vos studio, omnique agere adnisi necesse est, ut quod de synodo congreganda mandavimus, fraternitatis vestrae vigilantia compleatur, atque omnia illic quae pro animarum salute scripsimus censeantur: quatenus per hoc, et vos zelum vestrum, et qualiter vobis illicita displiceant ostendatis, et nos utiliter providisse, qui vestram ad hoc prae caeteris personam eligimus, videamur.

Epistola Gregorii Mennae, Tolosano et aliis compluribus episcopis per Galliam, lib. ix. epist. lii. De Augustino, episcopo Anglorum, et conversione gentis ipsius. [XV. est in Spelm. vol. I. p. 81.]

LICET fraternitatem vestram suscepti officii cura commoneat, ut religiosi viris, et praecipue in causa animarum laborantibus, omni debeat adnisi concurrere: non tamen ab re est, si sollicitudinem vestram epistolarum nostrarum sermo pulsaverit: quia sicut ignis aura flante fit grandior, ita bonae mentis studia commendatione proficiunt. Quia igitur Redemptoris nostri gratia cooperante, tanta de Anglorum gente ad christianae fidei gratiam multitudo convertitur, ut reverendissimus communis frater et coepiscopus noster Augustinus eos qui secum

sunt, ad hoc opus exequendum per diversa loca asserat non posse sufficere: aliquantos ad eos monachos cum dilectissimis et communibus filiis Laurentio presbytero, et Mellito abbate praevimus transmittendos. Et ideo fraternitas vestra eis charitatem quam decet exhibeat, atque ita illis ubicunque necesse fuerit auxiliari festinet: quatenus dum vobis opitulanti- bus nullas illic remorandi causas habuerint, et ipsi vestra se revelatos consolatione congaudeant, et vos solationum exhibitione in causa pro qua directi sunt, possitis participes inveniri.

Epistola Gregorii Clothario, regi Francorum, De sociis Augustini suscipiendis, et simoniaca haeresi tollenda. [XVI. Ibidem.]

INTER tot curas et sollicitudines, quas pro subjectarum vobis gentium regimine sustinetis, existere vos in causa Dei laborantibus adju- tores, eximiae laudis et magnae mercedis est. Et quia tales vos praecedentibus bonis ostenditis, ut praesumere de vobis meliora possimus, ad ea quae pro mercede vestra sunt, libentissime provocamus. Quidam igitur qui cum reverendissimo fratre et coepiscopo nostro Augustino, ad Anglorum gentem perrexerant, revertentes, quanta eundem fratrem nostrum excellentia vestra in praesentia positum, charitate receperit, quantisque suffragiis proficiscentem adjuverit, narraverunt. Sed quia illa Deo nostro opera grata sunt semper, quae a vobis cum coeperint non recedunt: paterno affectu salutantes petimus, ut monachos praesentium portitores, quos ad praedictum fratrem nostrum una cum dilectissimis filiis nostris Laurentio presbytero, et Mellito abbate transmimus, habeatis peculiariter commendatos. Et quicquid illi ante exhibuistis, his quoque ad laudis vestrae cumu-

lum uberius impendatis: quatenus dum vobis providentibus coeptum sine mora iter expleverint, bonorum vestrorum omnipotens Deus re- compensator existat, atque vobis et in prosperis custos, et in adversitatibus sit adiutor.

Praeterea pervenit ad nos, quod sacri illic ordines cum datione pecuniae conferantur. Et vehementer affligimur, si ad Dei dona non meritis acceditur, sed praemiis profilitur. Et quia haec simoniaca haeresis prima in ecclesia sur- gens, apostolorum est auctoritate damnata: petimus, ut pro mercede vestra congregari syno- dum faciatis: quatenus omnium sacerdotum definitionibus compressa et radicitus amputata, nullas illic vires de caetero in periculum ani- marum inveniat, nec ulterius sub qualibet ex- cusatione permittatur exurgere: ut tanto vos omnipotens Deus contra adversarios vestros ex- altet, quanto vos in suis mandatis zelum habe- re, et pro animarum salute quae huius fuerant sceleris gladio periturae, viderit cogitare.

Epistola Gregorii Brunichildae reginae Francorum. Ex lib. ix. epist. lvi. De Augustino et monachis ad eam directis suscipiendis. [XVII. est in Spelm. vol. I. p. 82.]

GRATIAS omnipotenti Deo referimus, qui inter caetera pietatis suae dona, quae excellentiae vestrae largitus est, ita vos amore christianae religionis implevit, ut quidquid ad animarum lucrum, quidquid ad propagationem fidei pertinere cognoscitis, devota mente, et pio operari studio non cessetis. Quanto autem favore, quantaque opitulatione excellentia vestra reverendissimum fratrem et coepiscopum nostrum Augustinum proficiscentem ad Anglorum gentem adjuverit, nec ante silentio fama conticuit, et postea quidam ab eo ad nos monachi redeuntes subtiliter retulerunt. Et quidem haec de christianitate vestra mirentur alii, quibus adhuc beneficia vestra minus sunt cognita: nam nobis, quibus experimentis jam nota sunt, non mirandum est, sed gaudendum: quia per hoc quod aliis impenditis, vos juvatis. Quae autem, quantaque in conversione suprascriptae gentis Redemptor noster fuerit miracula operatus, excellentiae vestrae jam notum est. Ex qua re magnam vos oportet habere laetitiam:

quia maiorem sibi partem hac in re praestitorum vestrorum solatia vendicant, cuius post Deum auxiliis verbum illic praedicationis innouit. Nam qui alterius bonum adjuvat, suum facit.

Sed ut mercedis vestrae magis magisque sit fructus uberior, petimus ut monachis praesentium portitoribus, quos cum dilectissimis filiis nostris Laurentio presbytero, et Mellito abbate ad praedictum reverendissimum fratrem et coepiscopum nostrum pro eo quod illos qui secum sunt, sufficere sibi dicit non posse, transmisimus, patrocinii vestri suffragia benignius ministretis, atque ita eis in omnibus adesse dignemini, quatenus dum bonis excellentiae vestrae initiis meliora successerint, et nullas illic moras vel difficultates invenerint, tanto erga vos ac dulcissimos nobis nepotes vestros Dei nostri misericordiam provocetis, quanto pro ejus amore vos in huiusmodi causis misericorditer exhibetis.

Epistola Gregorii Virgilio, episcopo Arelatensi. Ex lib. ix. epist. lxxiii. Augustinum episcopum commendat. [XXII. est ibid. p. 89.]

QUANTUS sit affectus venientibus sponte fratribus impendendus, ex eo quod plerumque solent charitatis causa invitari, agnoscitur. Et ideo si communem fratrem Augustinum episcopum ad vos venire contigerit, ita illum dilectio vestra, sicut decet, affectuose dulciterque suscipiat, ut et ipsum consolationis suae bono refoveat, et alios qualiter fraterna charitas colenda sit doceat. Et quoniam saepius evenit, ut hi qui longe sunt positi, prius ab aliis quae sunt emendanda cognoscant, si quas fortasse fraternitati vestrae sacerdotum, vel aliorum culpas intulerit, una cum eo residentes subtili cuncta investigatione perquirite. Et ita vos in ea quae

Deum offendunt, et ad iracundiam provocant, districtos ac sollicitos exhibete, ut ad aliorum emendationem, et vindicta culpabilem feriat, et innocentem falsa opinio non affligat. [Dat. die 10. calend. Julii, indict. iv.]

Beda [lib. I. H. E. c. xxviii.] post non affligat hic in fine sic progreditur. "Deus te incolumem custodiat, reverendissime frater. Data die decimo calendarum Juliarum, imperante domino nostro Mauritio Tiberio piissimo Augusto, anno decimo nono, post consulatum ejusdem domini nostri anno decimo octavo, indictione quarta," id est, anno Christi DCI.

Epistola Gregorii Mellito abbati, lib. ix. epist. lxxi. Dat mandata Augustino episcopo porrigenda. [XXIII. est ibidem.]

POST discessum congregationis nostrae, quae tecum est, valde sumus suspensi reddit: quia nil de prosperitate vestri itineris audisse nos contigit. Cum vero vos Deus omnipotens ad reverendissimum virum fratrem nostrum Augustinum episcopum perduxerit: dicite ei, quod diu mecum de causa Anglorum cogitans tractavi, videlicet quia fana idolorum destrui in eadem gente minime debeant, sed ipsa, quae in eis sunt, idola destruantur. Aqua benedicta fiat, in eisdem fanis aspergatur, altaria construantur, reliquiae ponantur: quia si fana eadem bene constructa sunt, necesse est ut a cultu daemonum in obsequium veri Dei debeant commodari: ut dum gens ipsa eadem fana sua non videt destrui, de corde errorem deponat, et Deum verum

cognoscens ac adorans, ad loca quae consuevit, familiarius concurret. Et qui boves solent in sacrificio daemonum multos occidere, debet his etiam hac de re aliqua solennitas immutari: ut die dedicationis vel natalitio sanctorum martyrum, quorum illic reliquiae ponuntur, tabernacula sibi circa easdem ecclesias quae ex fanis commutatae sunt, de ramis arborum faciant, et religiosi conviviis solennitatem celebrent. Nec diabolo jam animalia immolent, sed ad laudem Dei in esu suo animalia occidant, et donatori omnium de satietate sua gratias referant: ut dum eis aliqua exterius gaudia reservantur, ad interiora gaudia consentire facilius valeant. Nam duris mentibus simul omnia abscindere, impossibile esse non dubium est: quia is qui locum

summum ascendere nititur, gradibus vel passibus, non autem saltibus elevatur. Sic Israelitico populo in Aegypto Dominus se quidem innotuit, sed tamen eis sacrificiorum usus quos diabolo solebant exhibere, in cultu proprio reservavit, ut eis in sacrificio suo animalia immolare praeciperet: quatenus commutantes, aliud de sacrificio amitterent, aliud retinerent, ut etsi ipsa essent animalia quae offerre consueverant, veruntamen Deo haec et non idolis immolarent, jam sacrificia ipsa non essent. Haec igitur di-

lectionem tuam praedicto fratri necesse est dicere, ut ipse, in praesenti illic positus, perpendat qualiter omnia debeat dispensare. Dat. die 12. calendas Julii, indict. iv.

[Beda lib. I. cap. xxx. Deus te incolumem custodiat, dilectissime fili. Data die 15. calend. Juliarum imperante domino nostro Mauritio Tiberio, piissimo Augusto, anno 19. post consulatum ejusdem domini anno 18. indictione iv. id est, an. Chr. DCI.]

Vita S. Augustini, primi Doroberniensis ecclesiae archiepiscopi. Ex Bed. Hist. lib. I. cap. xxiii. xxvi. et lib. V. cap. xxiv. et epist. Gregorii M. [Spelm. vol. I. p. 92. seq.]

DE Augustino isto non est opus ut multis utar. Vita ejus et res gestae, postquam a Gregorio delegatur ad convertendos Anglos, luculenter pateant in sequentibus. Quis autem et qualis antea fuit, parum ad nos attinet: Romanus censo genere, et ex ordine S. Benedicti monachus: deinde monasterii S. Gregorii Romae praepositus, ut ex epistola ipsius Gregorii ad Sigarium, episcopum Augustodunensem, quam supra exhibuimus numero XIV. intellexeris. Inde evocatus a Gregorio, in Britanniam mittitur cum quadraginta sociis monachis, et aliis e clero, quibus ipsum abbatem praefecit, anno Domini nostri DCCVI. et sequenti anno, id est, DCCVII. Britanniam advectus Ethelbertum, regem Cantii, et populi sui eximiam partem ad fidem convertit, et die Pentecostes in ecclesia S. Martini Cantuariæ, quae a Romanorum temporibus eatenus perduraverat, baptizavit. Eodem deinde anno Arelatem proficiscitur, et ab archiepiscopo ejusdem civitatis Etherio, qui hoc a S. Gregorio in mandatis acceperat, genti Anglorum archiepiscopus ordinatur 16. calendarum Decembris in Arelatensi civitate. Angliam rediens, omni gaudio, et, qua decuit, solennitate a rege et populo susceptus est; donatusque a rege urbe regia Cantuaria in episcopalem sedem, et aula regia in ecclesiam cathedrali Christo erigendam: sic ut aemulari rex videatur quod ab imp. Constantino Magno factum perhibent. Ordinatus vero episcopus, S. Gregorium per nuncios et interrogationes consulit de regiminis forma Anglosaxonicae suae ecclesiae noviter institutae, imponendi: responsionesque tulit quas superius dedimus, et pallio mox quo potestatis plenitudo designatur, ab eodem Gregorio insignitus est, anno sc. Christi DCI. Britanniarum jam tum metropolitanus, synodum in confiniis Huiciorum, i. Wigornensium, ut Britannorum clero et episcopis illo tempore in Cambria residentibus vicinior esset, indicit, eosdemque ad eandem vocat. Locus sessionis Augustini.... Ac, hoc est, Augustini quercus designatur. Convenientibus hic vocatis, obedientiam postulat Augustinus Romano pontifici, Romanosque ritus in Britannicam ecclesiam suscipiendos. Negant hoc Britanni, et re diutius litigata, convenit demum de alia synodo aut sessione: grandior huic adest cleri Britonum multitudo, et ex eisdem septem episcopi,

Redintegrata lis, et cum Augustinus ultra non speraret, rogat ut in tribus saltem sibi et Romanis suis sint conformes. Primo in Paschatis celebratione: secundo in baptismi administratione: tertio in auxiliari praedicatione Anglosaxonibus. Hi vero factum Augustini metuentes, nec in istis cedunt. Lugubris inde eventus synodi, qui cum ad eam pervenerimus, enarrabitur. Differebat autem et in aliis multis Britannica tunc ecclesia a Romana: ut e Gilda, Beda, et quae hic sequuntur, liqueat.

De Augustini moribus ego nil definiam. Causantur hodierni, laudant veteres. Doctum, pium, et primitivae sanctitatis aemulum praedicant, et Anglorum apostolum, "Crebrum in vigiliis, jejuniis, orationibus, et eleemosynis;" in propagando sui seculi et religionis ecclesiam, et paganismum undequaque extirpando omnino fervidum; Romani monachatus, aliorumque rituum et ceremoniarum inductorem primum; in restaurandis condendisque ecclesiis satis sedulum, et in edendis miraculis valde celebrem. Hinc ob humanam imbecillitatem, elatior ei forte animus: quod et deprehendisse videatur S. ipse Gregorius, qui eum per epistolam monuit, ut ex magnis suis miraculis non inflaretur. Vide epistolam hic supra numero XVII. et etiam XVIII. Male etiam audit ex caede cleri Banachorensis, nec immerito quidem, si, quod suggerant, regem Edilfridum ad truculentum adeo flagitium excitaverat. De eo sic Capgravius in vita ejus. "Erat autem beatus Augustinus statura procerus, adeo ut a scapulis populo superemineret: facie amabilis et reverendus. Signa vero et sanitates quae in populo faciebat, nullus enarrare potest. Pedes incedebat, saepius discalceatus provincias lustrabat, et callos in genibus pro crebra genuflexione habebat.

De tempore quo diem consummavit novissimam, adeo variae sunt auctorum sententiae, ut quam tuear, nescio. Stous ponit 26. Maii, anno gratiae DCIII. Beda in anno DCIV. vel Florentius Wigorniensis potius, qui illo anno eum ad regnum migrasse caeleste 7. cal. Junii feria iii. significat. Augustinus ipse in bulla sua plumbea, si genuina fuerit, chartam citat Ethelberti regis datam anno incarnationis Christi DCV. Ex quo liquet eum tunc superstitem fuisse. Et refert Thomas Sprot eum concilium

Cantu-

Cantuariae celebrasse anno Dom. DCV. quod in eodem anno nos collocamus. Matthaeus Westmonasteriensis Sigebertum secutus, ait eum diem clausisse extremum anno gratiae DCVIII. Trivettus et Polydorus in anno DCXI. Et Savilius in Fastis, in anno DCXIII. Quamdiu igitur rexerit Dorobernensem ecclesiam, tanta est discordia fratrum, ut ego non audeam quid statuere. Satis autem liquet coepisse eum vel anno Dom. DXCVI. in quo missus est a S. Gregorio, vel anno DXCVII. in quo susceptus est a rege Ethelberto, et ab Etherio archiepiscopo Arelatensi ordinatus in episcopum Doroberniae seu Cantuariae.

Convenit autem sepultum eum fuisse in monasterio sui nominis, quod ope regis Ethelberti aedificaverat, in porticu nempe ecclesiae illius S. Petro et Paulo dicatae, sed haud adhuc consecratae in lapideo sarcophago ferro et plumbo obsignato, hac inscriptione,

Inclitus Anglorum praeful pius et decus altum,

Hic Augustinus requiescit corpore sanctus.

Consecrata autem ecclesia a successore suo Laurentio delatus est sarcophagus in ecclesiam,

Gregorius pallium, et epistolam, et plures verbi ministros Augustino episcopo mittit.

Ex Beda Hist. Eccl. lib. I. cap. xxix. [Spelm. vol. I. p. 103. seq.]

PRAETEREA idem papa Gregorius Augustino episcopo, quia suggererat ei multam quidem sibi esse messem, sed operarios paucos, misit cum praefatis legatariis suis plures cooperatorum ac verbi ministros, in quibus primi et praecipui erant Mellitus, Justus, Paulinus, Rufinianus, et per eos generaliter universa, quae ad cultum erant ac ministerium ecclesiae necessaria, vasa videlicet sacra, et vestimenta altarium, ornamenta quoque ecclesiarum, et sacerdotalia et clericalia indumenta, sanctorum etiam apostolorum et martyrum reliquias, necnon et codices plurimos.

Misit etiam literas, in quibus significat se ei pallium direxisse, simul et insinuat qualiter episcopos in Britannia constituere debuisset, quarum literarum iste est textus: "Reverendissimo et sanctissimo fratri Augustino coepiscopo Gregorius, servus servorum Dei. Cum certum sit," etc. ut supra inter epistolas numero XXIX.

Abeuntibus autem praefatis legatariis, misit post eos beatus pater Gregorius literas memoratu dignas, in quibus aperte, quam studiose er-

et parte ejusdem borealis positus, loco ubi altare sui nominis postea habebatur, et haec utique inscriptio:

Hic requiescit [in antiquissimis MSS. Bedae lib. II. cap. iii. ita legitur] dominus Augustinus, Doruvernensis archiepiscopus primus, qui olim huc a beato Gregorio, Romanae urbis pontifice, directus, et a Deo operatione miraculorum suffultus, et Ethelbertum regem, et gentem illius ab idolorum cultu ad Christi fidem perduxit, et completis in pace diebus officii sui, defunctus est 7. cal. Junii, eodem rege regnante.

Relatus est inter divos, et in Romano martyrologio locum obtinet die 7. calendarum Junii, id est 26. die Maii.

Scripsisse dicitur [Magdeburg. cent. 6. cap. x.] de successu suo prospero ad Gregorium librum unum: et ecclesiarum suarum statuta, librum unum: et quaestiones undecim, ad quas Gregorius ei respondet lib. XII. tomo secundo: quas etiam Beda refert lib. I. cap. xxvii. Historiae Angliae:

ga salvationem nostrae gentis invigilaverit, ostendit, ita scribens: [Bed. lib. I. cap. xxx.] "Dilectissimo filio Mellito abbati Gregorius, servus servorum Dei. Post discessum," etc. ut inter epist. num. XXIII.

Quo in tempore misit etiam Augustino epistolam super miraculis, quae per eum facta esse cognoverat: in qua eum, ne per illorum copiam periculum elationis incurreret, his verbis hortatur: [Bed. lib. I. cap. xxxi.] "Scio frater charissime, quia," etc. ut supra inter epistolas num. XVIII.

Misit et idem beatus papa Gregorius eodem tempore etiam regi Edilberto epistolam simul et dona in diversis speciebus perpulchra; temporalibus quoque honoribus regem glorificare satagens, cui gloriae caelestis suo labore et industria notitiam provenisse gaudebat. Exemplum autem praefatae epistolae hoc est: [Bed. lib. I. cap. xxxii.] "Domino gloriosissimo atque praecellentissimo filio Edilberto, regi Anglorum Gregorius episcopus. Propter hoc," etc.

De

De fundatione primarum ecclesiarum et monasteriorum apud Anglosaxones, id est, S. Pancratii, SS. Petri et Pauli, monasterii S. Augustini eisdem dicati, et cathedralis Christi ecclesiae, totius Britanniae metropolis, cum aliquibus privilegiis et dignitatibus ad haec omnia spectantibus. E splendido MS. codice fundationis monasterii S. Augustini Cantuariensis, in bibliotheca aulae S. Trinitatis apud Cantabrigienses. [Circa ann. Dom. DCIII. et seqq. Ex Spelm. vol. I. p. 36. seqq.]

Incipit titulus de fundatione.

TRACTATUM de statu hujus monasterii sancti Augustini Cantuariæ, ad Romanam ecclesiam nullo medio pertinentis, quem secundum temporum diversitatem inter omnes viae, et vitae hujus varietates habuisse asseritur, consequenter scripturus, ut aptius scribendi exordium aggrediar, a principio missionis ejusdem beatissimi Augustini in Angliam incipiens, stilum vertam. Historiographorum enim scriptorum assertionibus, necnon et modernorum informationibus plus innitens, explanationem hujus opusculi inferendo, venerabilis Bedae presbyteri, qui Anglorum describit historiam usque ad annum Domini septingentesimum tricesimum, Willielmi Malmesburiensis De gestis pontificum, quibus nullus in Anglia contradicit, necnon Thomae Sprot, Willielmi Thorne et aliorum hujus sancti monasterii monachorum seriem secuturus, regum Cantiae, archiepiscoporum Cantuariæ, et abbatum successiones, prout inter res gestas accidentaliter incidere reperi, interponam.

Ostendit plane historia venerabilis Bedae, De gestis Anglorum lib. I. cap. xxiii. quo anno Mauritius suscepit imperium Romanorum, quo anno Gregorius fortitus est Romanae sedis pontificatum, et consequenter ponitur quo anno idem papa Gregorius misit ad Anglos beatum Augustinum cum sociis suis, sub his verbis: "Qui," scil. Gregorius, "divino admonitus instinctu, anno xiv. ejusdem principis," sc. Mauriti, "adventus vero Anglorum in Britanniam anno circiter centesimo quinquagesimo, misit servum Dei Augustinum, et alios plures cum eo monachos timentes Dominum praedicare verbum Dei," etc. Memorat etiam idem Beda in quinto libro ejusdem historiae capitulo xxiv. in quo capitulo tota historia recapitulatur, quod "Anno ab incarnatione Domini quingentesimo nonagesimo sexto Gregorius papa misit in Britanniam Augustinum, cum monachis qui verbum Dei genti Anglorum evangelizarent," ubi additur consequenter: "Anno Domini quingentesimo nonagesimo septimo venere Britanniam praefati doctores."

Sequitur etiam de conversione regis Aethelberti, quae fuit in die Pentecostes, in primo libro praetacto, c. xxvi. et subsequenter c. xxvii. ponitur ordinatio beati Augustini post conversionem regis Aethelberti, eodem anno quo venit in Angliam 16. calendarum Decembr. apud civitatem Arelatensem ab Etherio, ejusdem urbis episcopo, prout missa sanctissimi papae Gregorii acceperat adimplenda. Ex his patet satisfactum ambiguitati multorum de loco, ubi rex

baptizatus fuerat Aethelbertus; cum nec de ecclesia sancti Pancratii, nec de ecclesia Christi, neque aliqua alia ecclesia ante consecrationem ejusdem sanctissimi Augustini in episcopum memoratur, nisi solummodo de ecclesia sancti Martini, quae secundum Bedam in praetacto cap. xxvi. primi libri antiquitus fuit facta, dum adhuc Romani Britanniam incolerent, in qua regina Berta, uxor ejusdem regis Aethelberti, quae christiana fuisse asseritur, orare consueverat. Lector ergo prudens intelligat quod subjungitur consequenter. "Mox," inquit, "in hac ecclesia ipsi primo convenire, psallere, orare, missas facere, praedicare, et baptizare coeperunt, donec rege ad fidem converso, majorem praedicandi per omnia, et ecclesias fabricandi, vel restaurandi licentiam acciperent." His etiam subjungit haec verba: "At ubi ipse," scil. rex, "inter alios delectatus vita mundissima sanctorum, et promissis eorum suavissimis, quae vera esse miraculorum quoque multorum ostensione firmaverant, credens baptizatus est; plures coepere quotidie ad audiendum verbum Dei confluere, et relicto gentilitatis ritu, unitati se sanctae Christi ecclesiae sociare.

Ordinatus igitur Augustinus Angliam rediit, et cum gloria, et omni qua decuit solennitate, a rege et populo susceptus, atque in civitate Cantuaria sedem episcopalem rege annuente adeptus, primarium Anglicae genti retulit primarchatum. Patrocinium illud primarchale rex ipse Deo amabilis tanto fuit triumphali gaudio excipiens, ut illum statueret suae metropolis ecclesiasticum praesidem, quem primitus susceperat hospitem; nec tantum urbis, sed et totius orbis sui speculativum fiducialiter praeferebat custodem: solium regni in sedem pontificalem, aulamque regis in Christi ecclesiam transferens. Veruntamen ut veterem primitus, cum actibus suis, exueret hominem, et novum decentius indueret, fanum illud, sive idolum quod situm fuit non longe ab ipsa civitate ad orientem, quasi in medio itinere inter ecclesiam praetactam sancti Martini, et muros civitatis, in quo, secundum ritum gentis suae, solebat non Deo, sed daemoniis immolare, consilio salutari beatissimi Augustini ab inquinamentis et sordibus gentilium purgari fecit, et simulacro, quod in eo erat, confraeto, in ecclesiasticam synagogam mutavit; et eam fecit in nomine sancti Pancratii martyris dedicari; et haec est prima ecclesia a nostro in Christo protoparente et pontifice dedicata. Spiritu namque eodem hic in primordio fidei Anglicanae ecclesiae movebatur, quo ipse beatissimus [Vide Epist. xxiii.] Gregorius, qui paucis diebus interpositis missurus fuit eidem per Mellitum, quamdiu de causa Anglo-

rum

rum cogitans tractavit, ne fana idolorum destrui debeant, sed ipsa quae in eis sunt idola destruantur, aqua benedicta fiat, in eisdem fanis aspergatur, altaria construantur, reliquiae componantur; ut dum gens ipsa eadem fana sua non videt destrui, de corde errorem deponat, et Deum verum cognoscens et adorans, ad loca quae consuevit, familiarius sit concurrens."

Ista recitat Beda in libro primo praetacto de gestis post interrogationes Augustini a Gregorio, cap. xxx. Sed nota, quod Augustinus illam Gregorio quaestionem non fecit, quam tamen mero motu per suos legatarios sibi solvit. Templum enim illud valde congrue de beatissimo martyre Pancratio dedicatur. Valde utique conveniens et rationi consonum videbatur, ut puer Pancrati, qui tunc Romae (quae est mundi domina) martyr tam celebris habebatur, ab Anglicis praecipue veneraretur, quibus pueri Anglici in foro Romano lactei candoris venales, causerunt Gregorium tunc abbatem monasterii sancti Andreae, quod ipsemet ad clivum stauri in urbe Romana de patrimonio sancti Pancratii fundaverat; Anglos angelis sociare. Dum vero beatissimus Augustinus primo missam in eadem ecclesia celebraret, invidens hostis puritati Anglicorum per puerum Pancratium dilatandae, et videns se de domo expulsus quam per longa inhabitaverat tempora, dictam ecclesiam funditus evertere nitebatur. Cujus unguium scalpura usque in praefens exterius evidenter in muro orientali apparet.

Obtinuit itaque immediate istis peractis a rege Aethelberto beatus Augustinus eandem S. Pancratii ecclesiam, una cum terra adjacente, in cuius fundo rex, ejus hortatu, ecclesiam in honorem sanctorum apostolorum Petri et Pauli, tanquam sui et totius regni munimentum et praesidium primitivum, a fundamentis construxit: monachosque in eadem ecclesia perpetuis temporibus Deo servituros instituit, quibus Petrum monachum, unum de collegio sancti Augustini secum ab apostolica sede directum, in abbatem, ut ordo ecclesiasticus exposcit, praeposuit et elegit. Patet ergo omnibus manifeste, anchoram primae foundationis praesentis monasterii in portu salutis regiae, necnon regni totius tam firmiter fixam fore, ut martyre Pancratio affirmante, nullis altercationum frivolarum attractionibus violentis evelli poterit ullo modo. Inter foundationem vero et dotationem sex anni in numero exclusive probabiliter computantur. Limitatur enim tempus foundationis ab anno Domini quingentesimo nonagesimo octavo; dotationis vero ab anno Domini sexcentesimo quinto, ut patet evidenter per primam et secundam chartam ejusdem fundatoris nostri confectas. Adeo namque tam rex quam archiepiscopus, in arcem et speculam hujus regni, foundationem praesentis monasterii proponebant, ut jam caeli esset ornamenta pretiosissima thesaurizans, videlicet ubi ipsius Augustini et omnium archiepiscoporum Dorovernensium, simul et ejusdem regis Aethelberti, et omnium regum Cantiae

corpora, quae in revelationem magni Christi resurgent, debent sepeliri. Unde, ut in urbe esset archiepiscopis consistorium sive sedes, et regibus thronus judicii vel tribunal, sic in isto monasterio extra urbem thalamus constituitur, necnon requies utrorumque. Juste enim divinus ipse contemplator Augustinus sibi et successoribus suis hic locum sepulturae elegit, tanquam ab exitu et strepitu mundano, * necnon cum passo Domino extra portam, ac pia fide gloriosus ille rex Aethelbertus cum eodem patre suo spiritali conssepeliri elegit, fidem in hoc antiquorum patrum humiliter imitatus, quibus maxima fuit cura cum sanctis patribus sepeliri, sicut de sancto Gamaliele et multis aliis legimus. Tacti itaque hac eadem devotione, plures pontifices, reges, et principes, et alii fideles Angliae se fecerunt in isto monasterio, vel saltem infra ejus ambitum sepeliri, ubicunque in Anglia morirentur.

Perpendere igitur ex praemissis quisque poterit sanae mentis, quod in praesenti monasterio apud Anglos prima fuit congregatio, seu primum collegium monachorum; non quod ipsi ab aliis descenderint, prius aut alibi in Anglia constitutis; sed magis quod ab ipsis descenderint alii. Inde est quod summi pontifices in suis authenticis privilegiis huic monasterio concessis communiter ita dicunt, sicut in initio nascentis christianae religionis apud regnum Anglicum in monasticae religionis observantia extitit primum; ita in posterum cum omnibus ad se pertinentibus ab omni maneat servitio liberum, ab omni mundiali strepitu inconcussum, nec ecclesiasticis conditionibus, seu angariis ullo modo subiaceat, aut ullis canonicis juribus serviat: addentes etiam in scriptis suis, quod valde incongruum videtur qualicunque modo alterius ditioni deservire, quod apud nos est primum in hac religione; omnia nempe et singula libertatum et privilegiorum insignia, quae in locis sibi competentibus in praesenti tractatu Deo adjuvante latius et evidentius apparebunt, ab illo Spiritus Sancti organo, sancto videlicet Gregorio, apostolica sua interminatione per saepedictum Anglorum apostolum Augustinum, velut a fonte rivuli, effluxerunt. Vota namque regia, tam devota et sancta, per suae legationis potestatem plenariam, et specificum privilegium archiepiscopus adimplevit; in tanto, ut semetipsum earundem libertatum adiutorem et patrocinatorem nominans, omnes successores suos archiepiscopos, omnesque ecclesiasticas et seculares potestates per Dominum Jesum Christum, et apostolorum ejus reverentiam obtestabatur, atque apostolica memorati patris sui Gregorii interminatione interdixit, ne quisquam unquam ullum potentatum, aut dominatum, aut imperium in hoc dominicum vel apostolicum monasterium, terras vel ecclesias ad illud pertinentes usurpare praesumat, nec ulla prorsus subjugationis, aut servitutis, aut tributis conditione, vel in magno, vel in minimo, Dei ministros inquietet aut opprimat.

* Clar. Walkerus *necnon* abesse vult, credens in Spelm. mendose *mundano ne*, pro quo *necnon* posuimus, ultimo *ne* ex proxime praecedenti syllaba *no* natum esse.

Omnibus utique, quod sequitur, est notandum; abbatem, inquit, a suis fratribus electum, in eodem monasterio, non ad suum famulatum sed ad dominicum ministerium ordinet; nec sibi hunc obaudire, sed Deo suadeat; nec vero sibi subiectum, sed fratrem, sed consortem, sed collegam, et comministrum in opus dominicum eum reputet; non ibi missas quasi ad suae ditionis altare, nec ordinationes vel benedictiones usurpative, sine abbatis vel fratrum petitione exerceat; nullum sibi jus consuetudinarium, vel in vilissima re exigit, quatenus pacis concordia unum in Domino sint utrique; ne quisquam, quod absit, dominandi dissidio in iudicium incidat diaboli, qui superbiae tyrannide corrui de caelo. Tradidit etiam in eisdem scriptis suis quod si quis tales supremi iudicis amicos offen-

dere non metuens, huiusmodi privilegii statuta violaverit, vel violatorem imitando vim suam tenuerit, sciat se apostolico beati Petri gladio per suum vicarium Gregorium puniendum, nisi emendaverit. O quam pia affectio, quam matura intentio tam regiae maiestatis, quam pontificalis Cantuariæ dignitatis, ut erga filios, liberos regni Dei futuros, nullam finerent captivitatem futuris temporibus permanere! Unde audeo dicere, illum in hoc verum successorem Augustini non esse, qui vero successor sancti Petri, huius monasterii primi abbatis, pro tantis et talibus huic monasterio concessis privilegiis indignatur; nec verum ejusdem sancti Petri in hoc arbitror successorem, qui legitimo successor beati Augustini tali extollentia praeconcessis privilegiis est repugnans.

De ecclesia Christi, quae totius Angliae matrix et metropolis ordinatur. [Circa ann. Dom. DCIII. Ex Spelm. vol. I. p. 116. seqq.]

DE ecclesia vero Christi, quae metropolis, necnon matrix totius Angliae ordinatur, quae quidem dignitate est prior, sed posterior tempore, sic scribit idem venerabilis Beda in primo libro praetacto historiae Anglicanae cap. xxxiii. "At," inquit, "Augustinus ubi in regia civitate sedem episcopalem," ut praediximus, "accepit, recuperavit in ea, regio fultus adminiculo, ecclesiam quam ibi Romanorum antiquorum fidelium opere factam fuisse didicerat, et eam in nomine sancti salvatoris Dei et Domini nostri Jesu Christi sacrauit, atque ibidem sibi habitationem statuit, et cunctis successoribus suis." Haec ille. Prius enim accepimus, prout patet in capitulo praecedenti, quod ante adventum sancti Augustini non sit in chronicis mentio de aliqua ecclesia dedicata, nisi solummodo de ecclesia sancti Martini, in qua rex ipse baptizatus fuerat Ethelbertus; ex quo sequitur, quod ecclesia Christi nondum fuerat dedicata. Accepimus etiam quod ecclesia sancti Pancratii fuit prima ab Augustino ordinata in episcopum dedicata, quod non esset verum, si ecclesiam Christi regio fultus auxilio, immediate post suam ordinationem in episcopum dedicasset. Ergo illa recuperatio nullo modo in temporis prioritate dedicatio sive consecratio est dicenda, sed potius ecclesiae quaedam ruinosae regis sumptibus reparatio, quam idem rex didicerat antiquo Romanorum opere prius factam fuisse, cujus vestigia apparebant. Hanc verisimiliter ecclesiam beatus Augustinus, regio adminiculo fultus, debita, videlicet regis sumptibus, recuperatione seu reparatione peracta, post huius monasterii foundationem, in nomine sancti salvatoris Dei et Domini nostri Jesu Christi sacrauit, atque ibidem, ut praemittitur, sibi habitationem statuit, et cunctis successoribus suis. Nec aliquid obstat, quod prius de recuperatione ecclesiae Christi sit in chronicis mentio; cum id ordo scribendi deponat, ut a superiori incipere debeat. Quod enim dicitur a quibusdam, quod in ipsa matrice metropoli seu cathedrali ecclesia, priusquam in isto monasterio, congregatio fuit monachorum, plane probari

poterit contrarium veritati, si superiora cum sequentibus diligentius attendantur. Nam a principio foundationis, quod, ut patet in capitulo praecedente, fuit sub anno Domini DCCVIII. in isto monasterio fuit congregatio monachorum, postea vero in illa ecclesia cathedrali fuerunt monachi introducti sub anno Domini DCXV. quod aperte probatur per epistolam Bonifacii papae, qui quartus fuit a Gregorio, regi Aethelberto transmissam, prout in libro primo Willielmi Malmesburiensis De gestis pontificum, ubi tractat de Lanfranco ejusdem sedis archiepiscopo, invenitur. Cujus quidem epistolae hic est tenor.

"Domino excellentissimo atque praecellentissimo filio regi Anglorum Aethelberto, Bonifacius episcopus, servus servorum Dei. Dum christianitatis vestrae integritas ita circa Conditoris sui cultum excreverit, ut longe lateque resplendeat, et in omni mundo annunciata, vestrae Deo dignae operationis augmenta referat, enormes largitori omnium bonorum grates Deo exsolvimus, qui vos de excelsis prospexit, et in tanto culmine virtutum erexit. Quapropter, gloriose fili, quod ab apostolica sede per coepiscopum nostrum Mellitum postulasti, libenti animo concedimus; id est, ut vestra benignitas in monasterio in Dorobernensi civitate constituto, quod sanctus doctor vester Augustinus, beatae memoriae, Gregorii discipulus, sancti Salvatoris nomini consecravimus, cui ad praesens praeesse dignoscitur dilectissimus frater noster Laurentius, licenter per omnia monachorum regulariter viventium, habitationem statuatur, apostolica auctoritate decernentes, ut ipsi vestri praedicatores monachi monachorum gregem sibi affociant, et eorum vitam sanctitatum moribus exornent. Quae nostra decreta si quis successorum vestrorum, sive regum, sive episcoporum, clericorum, sive laicorum, irrita facere tentaverit, a principe apostolorum Petro, et a cunctis successoribus suis anathematis vinculo subiaceat, quoad usque quod temerario ausu peregisse, Deo placita satisfactione poeniteat, et huius

hujus inquietudinis veram emendationem faciat. In Christo valeas domine fili: missa per manum Melliti, episcopi Lundoniensis. Anno dominicae Incarnationis DCXV.

Quis igitur dubitet hunc papam Bonifacium a primo Gregorio quartum, ipso Gregorio tempore posteriorem, similiter et Augustino Laurentium successorem? Pari etiam ratione prius fuit collegium monachorum, ubi, qui priores tempore fuerunt, patres collegium ordinarunt.

Sed quid ad nos, quantum ad religionis eminentiam obtinendam, propter quam libertates et privilegia sunt concessa, quos noster paterfamilias exiit primo mane conducere in vineam suam, prioritas aut posterioritas temporis? "Erunt," inquit, "primi novissimi et novissimi primi." Nam si vana gloria, quae ex invidia nascitur, dominetur, ut ideo doleat quis esse secundus, quia desiderat esse prior: libertas in captivitatem, prioritas in deteriorationem turpiter ducitur. Inde propheta Esdras, volens omnium electorum unam ostendere vocationem; et nullam, temporis causa, esse differentiam inter illos, ostendit omnium sanctorum numerum esse quasi coronam: quia sicut in corona, cum sit rotunda, nihil, quo initium vel finis percipi poterit, invenitur; sic inter sanctos et electos, quantum ad tempus, in futuro seculo nemo novissimus dicitur, nemo prior. Ista namque corona sic signo sanctitatis expressa, neminem ut gemma radians tunc ornabit, qui ob vanae gloriae ostentationem istic de prioritate temporis gloriatur. Et qui contra veritatem, temporis vendicant prioritatem, sine dubio consequenter aliorum concessam destruere libertatem omnino conantur; cujus augmentum dum in aliis aspiciunt, apud semetipsos afflicti anxie captivantur, aliorum privilegium suum praejudicium reputantes. Tales, quod dolendum est, plures sunt istis diebus, quorum aliquos audivimus et vidimus pluries, qui versus quosdam a quodam claustrali hujus sancti monasterii ad honorem et laudem sanctissimi Augustini sociorumque ejus, necnon ob memoriam foundationis praesentis ecclesiae compositos, et ad tumbam ejusdem decenter in quadam tabula positos et appensos, turpiter impropere damnarunt, et turbine procelloso idoneos etiam et maturos, suis sinistris informationibus pro compositione eorundem versuum commovebant, quorum tamen sententiam ignorabant; quos nihil aliud, ut fatebantur, movebat, nisi nostrae foundationis prioritas hic praemissa, et quod abbas praesentis monasterii frater, consors, comminister vocaretur archiepiscopi Cantuariæ et collega; minime contemplantes sanctissimi patris nostri Augustini intentionem, et sancti regis Aethelberti fundatoris nostri devotionem superius pernotatam, nec etiam intelligentes quod aliud esse, aliud est vocari. Summi namque pontifices in scriptis suis semetipsos servos servorum Dei humiliter nominant, quorum primus sanctus fuit Gregorius ita scribens, nec tamen sequitur, quod quilibet Dei servus est summi pontificis dominus et magister. Sic in proposito, si ob reve-

rentiam primariae institutionis beatissimi Augustini, dominus archiepiscopus vocet humiliter dominum abbatem hujus monasterii fratrem, consortem, collegam, et prae caeteris comministrum, non tamen aliquis sanae mentis intelligit abbatem in omnibus esse consortem, et domino archiepiscopo coaequalem collegam. Refert tamen Beda lib. III. De gestis cap. iii. quod est insula in Hibernia, quae rectorem abbatem presbyterum semper habet, cujus juri omnis provincia, et etiam episcopi sunt subjecti, juxta exemplum primi doctoris illius, qui non episcopus, sed presbyter extitit et monachus. Eadem ratione non solum propter institutionem beatissimi Augustini adhibenda est honoris prerogativa abbati hujus monasterii, sed ob reverentiam et memoriam ejusdem protodocoris nostri, qui in suo primo adventu, non episcopus, sed presbyter et monachus dignoscitur extitisse.

Ob ejusdem enim dignitatis memoriam, summus pontifex, post quadringentos sexaginta quinque annos Alexander secundus sub anno Dom. MLXIII. mero motu abbati Egelsino jussit mitra et sandaliis uti jure pontificali, sibi et suis successoribus, in his verbis: "Hunc apicem habere perpetuo rectorem decrevimus Augustinensem, ob ipsius scilicet Romanorum alumni, et Anglorum apostoli dignitatem." Ejusdem itaque abbatis Egelsini praedecessori Wlfrico summus pontifex Leo decimus, eodem anno quo confirmavit, ut in conciliis et synodis celebrandis archiepiscopus Cantuariensis assidere debeat pontifici sanctae Ruffinae, concessit ut abbas sancti Augustini assideret abbati montis Casini, anno Domini MLVI. Plures etiam Romani pontifices, tam scriptis quam factis, ob eandem protodocoris nostri Anglorum apostoli dignitatem, necnon ipsi archiepiscopi Cantuarienses fere omnes abbates hujus monasterii in magna reverentia habuere. Unde ut in capita praetactorum aemulorum confusio verteretur, qui acriter a venerabilis memoriae Thoma cognomine Chelingdene, tunc priore ecclesiae Christi, pro hujusmodi imperio fuerant reprehensi, eodem anno quo haec acta fuerunt, qui fuit annus Domini MCCCCVI. piae memoriae Thomas Arundell, archiepiscopus Cantuariæ, Thomam, hujus monasterii abbatem, hujus nominis quartum, cognomine Hundene, in die sancti Johannis ante portam Latinam in ecclesia sancti Pauli Londoniis, sine exactione aliqua subjectionis vel obedientiae benedixit, et eundem ut fratrem, consortem, collegam, et comministrum nominans et honorans, in opus dominicum, secundum sanctissimi Augustini decretum et sanctionem benigniter insignivit, cui in signum memoriale perpetui foederis annulum contulit pretiosum sapphirico lapide adornatum.

Eadem ergo foundationis nostrae prioritate gaudentes, privilegiorumque libertates a tempore Augustini usque in praesens sine intermissione firmiter retinentes, charitatem etiam ipsis nostris vicinis aemulis conservantes, cum propheta dicamus, "Redde vicinis nostris septuplum in sinu eorum," imperium ipsorum exprobraverit

probraverit tibi, domine sanctissime Augustine, "nos autem populus tuus, et oves pascuae tuae, confitebimur tibi in seculum; in generationem

et generationem annuntiabimus laudem tuam," in cujus nominis gloriam et honorem.

Prima charta regis Aethelberti, in confirmationem solius fundi circa ecclesiam sancti Pancratii. Ex MS. bibl. aulae S. Trinitatis Cantabrig. fol. 7. [Circa ann. Dom. DCV. Spelm. vol. I. p. 118. seq.]

IN nomine Domini nostri Ihesu Christi. Om-nem hominem qui secundum Deum vivit, et remunerari a Deo sperat et optat, oportet ut piis precibus consensum hilariter ex animo praebeat. Quoniam certum est tanto facilius ea quae ipse a Deo poposcerit consequi posse, quanto et ipse libentius Deo aliquid concefferit; quocirca ego Aethelbertus rex Cantiae cum consensu venerabilis archiepiscopi Augustini, ac principum meorum, do et concedo in honore sancti Petri aliquam partem terrae juris mei, quae jacet in oriente civitatis Doroberniae: ita duntaxat, ut ibi monasterium construatur, et res quam supra memoravi in potestate abbatis sit qui ibi fuerit ordinatus. Igitur adjuro et praecipio, in nomine Domini Dei omnipotentis, qui est omnium rerum iudex justus, ut prae-

fata terra subscripta donatione sempiternaliter sit confirmata, ita ut nec mihi, nec alicui successorum meorum, regum aut principum, five cujuslibet conditionis dignitatibus, et ecclesiasticis gradibus, de ea aliquid fraudare liceat.

Si quis vero de hac donatione nostra aliquid minuere aut irritum facere temptaverit, sit in praesenti separatus a sancta communione corporis et sanguinis Christi, et in die iudicii, ob meritum malitiae suae, a consortio sanctorum omnium segregatus. Circumcincta est haec terra his terminibus. In orienti ecclesia sancti Martini. In meridie via of Burhgate. In occidente et in aquilone Dritingstreet. Acta in civitate Doroverni. Anno ab incarnatione Christi DCV. indictione VIII.

Secunda charta regis Aethelberti. Dotatio terrae de Langeport. Ibidem fol. 8. [Ibid. p. 119.]

IN nomine Domini nostri Ihesu Christi: notum sit omnibus, tam praesentibus quam posteris, quod ego Aethelbertus, Dei gratia rex Anglorum, per evangelicum genitorem meum Augustinum de idolatra factus christicola, tradidi Deo per ipsum antistitem aliquam partem terrae juris mei sub orientali muro civitatis Doroberniae, ubi scilicet per eundem in Christo institutorem monasterium in honore principum apostolorum Petri et Pauli condidi, et cum ipsa terra, et cum omnibus quae ad ipsum monasterium pertinent, perpetua libertate donavi, adeo ut nec mihi, nec alicui successorum meorum regum, nec ulli unquam potestati, five ecclesiasticae, five seculari quicquam inde liceat usurpare, sed in ipsius abbatis sint omnia libera ditione. Si quis vero de hac donatione nostra aliquid minuere aut irritum facere temptaverit, auctoritate Dei, et beati papae Gregorii, nostrique apostoli Augustini, simul et nostra imprecatione sit hic segregatus ab omni sanctae ecclesiae communione, et in die iudicii ab omni electorum societate. Circumcincta est haec ter-

ra his terminibus. In oriente ecclesia sancti Martini. Et inde ad orientem be Siwendoune. Et sic ad aquilonem be Wykengesmarke. Iterumque ad orientem et ad austrum be Burghwaremarke. Et sic ad austrum et occidentem be Kingesmarke. Item ad aquilonem et orientem be Kingesmarke. Sicque ad occidentem to Rideschaepe. Et ita ad aquilonem to Dritingstreet. Actum est hoc in civitate Doroverni. Anno ab incarnatione Christi DCV. indictione VIII.

✚ Ego Aethelbertus rex Anglorum hanc donationem meam signo sanctae crucis propria manu confirmavi. ✚ Ego Augustinus gratia Dei archiepiscopus libenter subscripsi. ✚ Ego Aedbalus regis filius favi. ✚ Ego Hamgifulus dux * laudavi. ✚ Ego Hocca comes consensi. ✚ Ego Angemundus referendarius approbavi. ✚ Ego Graphio comes benedixi. ✚ Ego Tangifulus regis optimas confirmavi. ✚ Ego Pinca consensi. ✚ Ego Geddi corroboravi.

* Clar. Walkerus pro Spelm. mendosa voce *Landani*, legit *laudavi*. Ita infra "collaudantibus cum ipso et omnibus optimatibus regis." Et rursus "Ego Oimundus Lundonienfis episcopus collaudavi." Et alibi.

Tertia carta regis Aethelberti, de Sturigao, alio nomine dictum Cistelei. Ibidem fol. 9. [Circa ann. Dom. DCX. Ibid. p. 120. seq.]

IN nomine sanctae et individuae Trinitatis rex Anglorum Aethelbertus, misericordia omnipotentis Dei catholicus; omnibus suae gentis fidelibus et adventum gloriae magni Dei et salvatoris nostri Ihesu Christi beata spe expectanti-

bus, salutem vitaeque aeternae beatitudinem. Largiente summi Regis clementia, ego Aedelbertus in folio paterno confirmatus, paceque divinitus concessa, eo jam per decem quinquennia sceptrigera potestate potitus, et per venerabiles sacrae

facrae fidei doctores Spiritus Sancti gratia irradiatus, ab errore falsorum deorum ad unius veri Dei cultum toto corde conversus, ne ingratus beneficiorum appaream illi, a cujus sancta sede nobis in regione umbrae mortis sedentibus lux veritatis emicuit: inter alias quas fabricavi ecclesias, monitu et hortatu beatissimi papae Gregorii, et sancti patris nostri Augustini, ipsi beatissimo apostolorum principi Petro, et doctori gentium Paulo ecclesiam a fundamentis construxi, eamque terris, variisque possessionum donariis decorare studui, inibique monachos Deum timentes aggregari feci, et cum consilio ejusdem reverendissimi archipraefulis Augustini ex suo sancto sanctorum collegio venerabilem virum secum ab apostolica sede directum Petrum monachum elegi, eisque ut ecclesiasticus ordo exposcit, abbatem praeposui.

Hanc igitur ecclesiam ad provectum debiti culminis promovere desiderans, suarumque possessionum terminos dilatare gestiens, sana mente, integroque consilio, cum Aedbaldi filii mei, aliorumque nobilium optimatum meorum consensu, ob redemptionem animae meae, et spem retributionis aeternae: obtuli ei etiam villam nomine Sturigao, alio nomine dictum Cistelei, cum omnibus redditibus ei jure competentibus, cum mancipiis, silvis, cultis vel incultis, pratis, pascuis, paludibus, fluminibus, et contiguis ei maritimis terminis eam ex una parte cingentibus. Omnia mobilia vel immobilia in usus fratrum sub regulari tramite, et monastica religione inibi Deo servientium, missorum etiam argenteum, scyphum aureum, item sellam cum fraeno auro et gemmis exornatam, speculum argenteum, armilaulia oloferica, camisiam ornatam, quod mihi xenium de domino papa Gregorio sedis apostolicae directum fuerat, quae omnia supradictae ecclesiae gratanter obtuli. Quam etiam ecclesiam ipse servus Dei Augustinus sanctorum apostolorum ac martyrum reliquiis, variisque ecclesiasticis ornamentis ab apostolica sede sibi transmissis copiose ditavit; seseque in ea, et cunctos successores suos ex auctoritate apostolica sepeliri praecepit, scriptura dicente, "non esse civitatem mortuorum, sed vivorum." Ibi etiam mihi et successoribus meis sepulturam providi, sperans me quandocunque ab ipso apostolici ordinis principe, cui Dominus potestatem ligandi atque solvendi dedit, et

claves regni caelorum tradidit, a peccatorum nexibus solvi, et aeternae beatitudinis januam introduci. Quod monasterium aut ecclesiam nullus episcoporum, nullus successorum meorum regum in aliquo laedere aut inquietare praesumat, nullam omnino subjectionem in ea sibi usurpare audeat, sed abbas ipse, qui ibi fuerit ordinatus, intus et foris cum consilio fratrum secundum timorem Dei libere eam regat et ordinet, ita ut in die Domini dulcem illam piissimi Redemptoris nostri vocem mereatur audire, dicentis, "Euge serve bone et fidelis, quia super pauca fuisti fidelis, super multa te constituam; intra in gaudium Domini tui."

Hanc donationem meam in nomine Patris, et Filii, et Spiritus Sancti, largitate divina, ut mihi tribuatur peccatorum remissio, per omnia cum consilio reverendissimi patris Augustini condidi, atque ad transcribendum, Augemundum presbyterum ordinavi. De his ergo omnibus, quae hic scripta sunt, si quis aliquid inde minuere praesumerit, sciat se aequissimo judici Deo, et beatis apostolis Petro et Paulo rationem esse redditurum. Confirmata donatio praesentibus testibus; reverendissimo patre Augustino Dorobernensis ecclesiae archiepiscopo primo, Mellito quoque et Justo Lundoniae et Rosensis * praefulis, Aedbaldo filio meo, Hamigifilo, Augemundo referendario, Hocca, Graphio, Tangil, Pinca, Goddi, aliisque pluribus dignitatum diversarum personis.

* Nota. Post vocem "praefulis," UssER. in MSS. notis ad locum addit: "Post praefulis in MS. quo ego usus sum, legitur: et religioso famulo Christi Laurentio presbytero, Aedbaldo filio meo, Hamigifilo duce, Augemundo referendario, Hocca et Graphione comitibus, Tangifilo, et Pinca, et Geddi, et Aldhuno regis optimatibus, aliisque plurimis diversarum dignitatum personis. Actum sane quadragesimo quinto anno regni nostri, sub die quinto idus Januarii. Which date agreeth with the year of our Lord DCV. set down by Reynerus pag. 50. but cometh five years short of that which is set down in the beginning of the charter, where king Aethelbert saith, that he did jam per decem quinquennia sceptrigera potestate potiri." Haec ille.

Bulla sancti Augustini de exemptione praesentis monasterii cum signo plumbeo.

Ex MS. Bibl. aulae S. Trinitatis Cantabrig. fol. 10. [Spelm. vol. I. p. 121. seqq.]

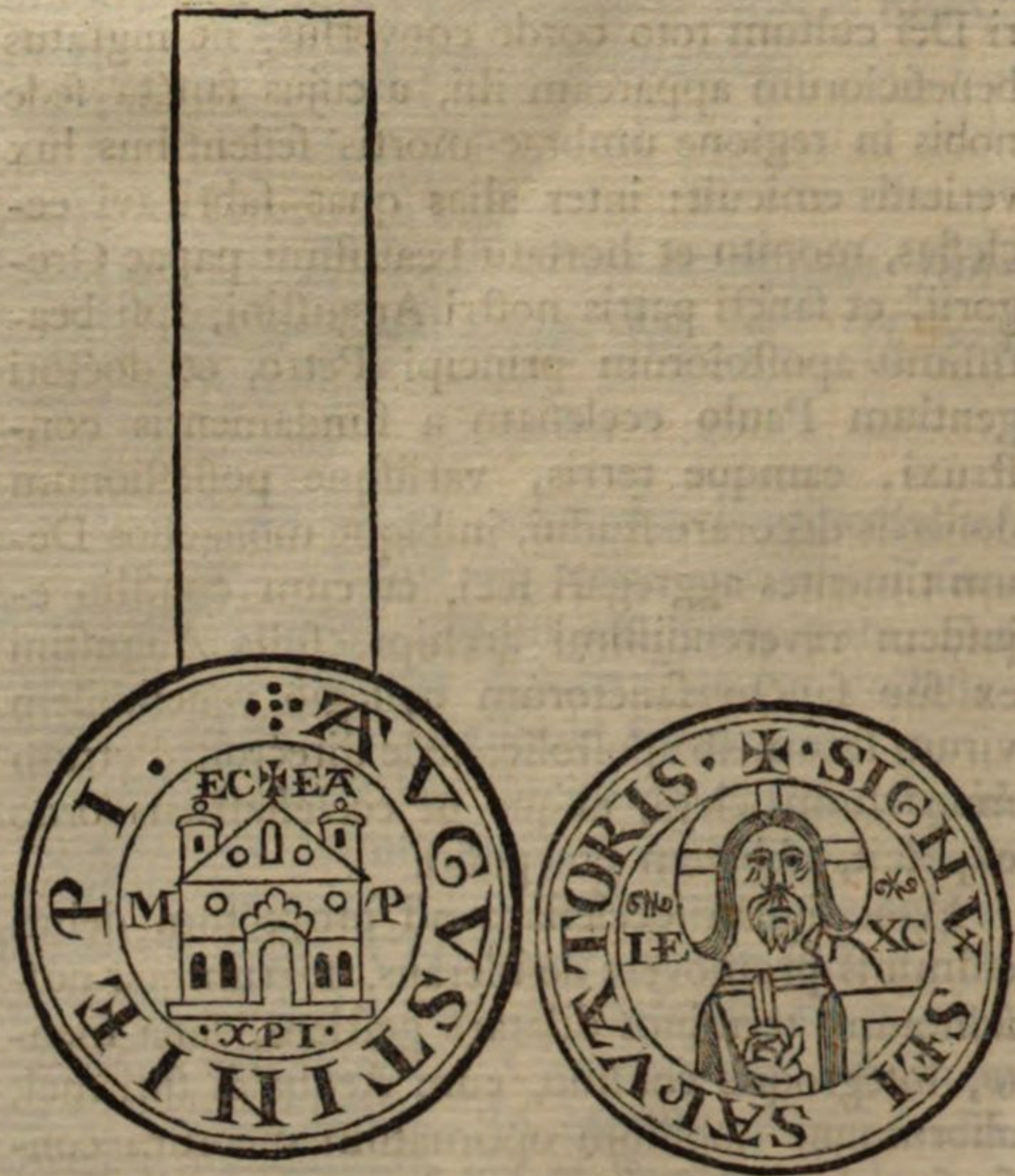
AUGUSTINUS episcopus Doroberniae sedis famulus, quem superna inspirante clementia beatissimus papa Gregorius Anglicae genti Deo acquirendae legatarium misit ac ministrum; omnibus successoribus suis episcopis, cunctisque Angliae regibus, cum suis posteris, atque omnibus Dei fidelibus, et in fide et gratia pacem et salutem. Patet omnibus quod Deo amabilis rex Aedelbertus, primus Anglorum regum Christi regno sacrat, nostra instantia, et sua prodiga benevolentia, inter caeteras ecclesias quas

fecit, et episcopia, monasterium extra metropolim suam Doroberniam, in honorem principum apostolorum Petri et Pauli regaliter condidit, et regalibus opibus, amplisque possessionibus ditavit, dilatavit, magnificavit, perpetuae libertate, et omni jure regio, cum omnibus rebus et judiciis intus et foris illi pertinentibus munivit, suoque regio privilegio, et superni iudicii imprecatione, atque apostolica sancti papae Gregorii interminatione excommunicatoria contra omnem injuriam confirmavit.

Ego quoque ejusdem libertatis adjutor et patrocinator, omnes successores meos archiepiscopos, omnesque ecclesiasticas vel seculares potestates per Dominum Ihesum Christum, et apostolorum ejus reverentiam obtestor, atque apostolica patris nostri papae Gregorii interminatione interdico, ne quisquam unquam ullam potestatem, aut dominatum, aut imperium in hoc dominicum vel apostolicum monasterium, vel terras vel ecclesias ad illud pertinentes usurpare praesumat, nec ulla prorsus subjugationis aut servitutis, aut tributi conditione, vel in magno, vel in minimo Dei ministros inquietet aut opprimat.

Abbatem a suis fratribus electum in eodem monasterio non ad suum famulatum, sed ad dominicum ministerium ordinet, nec sibi hunc obaudire, sed Deo suadeat. Nec vero sibi subiectum, sed fratrem, sed consortem, sed collegam et comministrum in opus dominicum eum reputet. Non ibi missas, quasi ad suae ditionis altare, nec ordinationes vel benedictiones usurpative, sine abbatis vel fratrum petitione exerceat. Nullum sibi jus consuetudinarium, vel in vilissima re exigat, quatenus pacis concordia unum sint in Domino utrique. Ne quisquam, quod absit, dominandi dissidio in iudicium incidat diaboli, qui superbiae tyrannide corrui de caelo. "Reges gentium," inquit Dominus, "dominantur eorum, vos autem non sic." Cumque ab alienis, non a filiis accipiantur tributa, sic ipse Dominus concludit, "Ergo liberi sunt filii." Qua ergo irreverentia patres ecclesiarum in filios regni Dei sibi vendicant dominationem, maxime autem in hanc ecclesiam sanctorum thesaurariam, in cujus materno utero tot pontificum Doroberniae, regum ac principum corpora speramus alma refovenda sepulturae requie, ex auctoritate scilicet apostolica, et hinc ad aeternam gloriam resuscitanda. Tales supremi Judicis amicos si quis offendere non metuens, hujus privilegii statuta violaverit, vel violatorem imitando vim suam tenuerit, sciat se apostolico beati Petri gladio per suum vicarium Gregorium puniendum, nisi emendaverit.

Haec ergo omnia, uti hic sunt scripta, apostolica ipsius institutoris nostri Gregorii comprobatione et auctoritate servanda sancimus, suoque ore confirmamus, praesente glorioso rege Aedelberto, cum filio suo Aedbaldo et collaudantibus cum ipso omnibus optimatibus regis, atque ultro volentibus reverendissimis fratribus nostris, a sancta Romana ecclesia huc mecum vel ad me in evangelium Domini destinatis: scilicet Laurentio, quem nobis Deo favente successorem constituimus, et Mellito, Lundoniae episcopo, et Justo Rosensi episcopo, et Petro venerabili ejusdem monasterii principum apostolorum abbate primo, cum caeteris in Domino adjutoribus meis obnixè postulantibus, simulque in eos qui haec fideliter servaverint, benedictionem, aut in impenitentes, quod nolumus, transgressores damnationem exercentibus.



Notatur sub bulla ista in MS. codice ut hic sequitur.

Ex una parte istius signi beati Augustini descriptio est ita ut patet. . . Augustini episcopi, et haec est scriptura in exteriori circumferentia. In medio signi est forma unius ecclesiae, super eandem scribitur Ecclesia, et subtus X P I. a dextris ponitur una litera, scilicet M. a sinistra P. per M. monasterium, per P. Petri intellige. Quod bene cum prima charta foundationis praesentis monasterii concordat. In qua solummodo Petri apostoli mentio annotatur. Sed in charta secunda et tertia fit mentio de utrisque, viz. Petro et Paulo.

Ex altera parte istius signi descriptio est ista. In exteriori circumferentia scribitur ✠ Signum sancti Salvatoris. In medio est imago Salvatoris ab umbilico sursum. A dextris scribitur I E. a sinistris X C.

Bullae longitudo — 14. pollices.
latitudo — 10. pollices.

Post haec sic progreditur codex idem MS. bibl. aulae S. Trinitatis Cantabrig. fol. 10.

De bulla plumbea sancti Augustini.

Quod enim praenotatum sancti Augustini privilegium sub bulla plumbea continetur: non est ab illis, qui sane ad sobrietatem sapiunt, dubitandum. Nam cum idem Augustinus Romanus esset, et Anglorum apostolus, ratione suae legationis apostolicae eundem potuit servare modum, quantum ad personae suae dignitatem in ecclesia Anglicana, quem tunc servavit Gregorius in ecclesia Romana. Nec mirum quod ipse bulla plumbea utebatur, cui tanta auctoritas a beato Gregorio fuit concessa, ut in nova Anglorum ecclesia per loca singula, ut patet 11. registri cap. xxiv. episcopos ordinaret, qui suae subjacere ditioni deberent, in tanto ut episcopus ipse

ipse Eboracensis, qui metropolitani perfrueretur honore, suae subjaceret ditioni. Post obitum vero Augustini decrevit idem Gregorius, ut duorum metropolitanoꝝ ista in posterum esset honoris distinctio, ut ipse prior habeatur, qui prius fuerit ordinatus, et sic Augustini auctoritas in tanto successorum suorum auctoritatem excellere videbatur. Scripsit etiam suis interrogationibus sanctus Gregorius, ut recitat Beda De gestis, libro I. cap. xxvii. "Novit," inquit, "fraternitas tua Romanae ecclesiae consuetudinem in qua se meminit nutritam. Sed mihi placet, ut sive in Romana, sive in Galliarum, seu in qualibet ecclesia aliquid invenisti, quod plus omnipotenti Deo possit placere, sollicite eligas; et in Anglorum ecclesia, quae adhuc ad fidem nova est, institutione praecipua, quae de multis ecclesiis colligere potuisti, infundas;" haec ibi. Ex quibus patet bullam non incongrue plumbeam nostro apostolico competere Augustino, quod etiam quibusdam episcopis in partibus transmarinis, post quingentos annos ab adventu ejusdem in Angliam, asseritur evidenter concessum fuisse. Cum enim ab archiepiscopo Cantuar. Richardo, qui fuit quintus a sancto Thoma tempore regis Henrici tertii, post conquestum, privilegium Augustini argueretur falsi, propter hujusmodi bullam plumbeam: comes Flandriae Philippus, ad ejusdem rei majorem evidentiam, talem bullam plumbeam, quam sibi dedit quidam episcopus transmarinus, qua idem episcopus et antecessores sui utebantur, per magistrum Robertum Blundum capellanum suum, abbati praesentis monasterii transmittere affectabat. Quae quidem bulla plumbea usque in praesens inter caetera monasterii munimenta servatur. Cujus quantitas et forma hic notatur.



Ex altera enim parte hujus sigilli vix propter antiquitatem apparet imago sanctae Mariae cum Filio, scriptura ejusdem circumferentiae, quod legi poterit, minime apparente. Quod autem sigillum expressis

literis in praesenti circumferentia annotatur, patet non majoris signi esse evidentiam, sed minoris: si igitur in minori fit, ut sigillo plumbeo possit uti; multo fortius in majori. Sed quod praesens sigillum plumbeum bulla a pluribus, prout praemittitur, appellatur, quam quidam episcopus transmarinus praetacto comiti Philippo donavit, qua idem episcopus et antecessores sui utebantur, plane non videtur consonum rationi, cum sit effigies abbatis cum scriptura superposita in eodem, unde non obstante quod quidam episcopus illud idem comiti contulit, videtur congruere sigillum alicujus monasterii monachorum fuisse, in honore sancti Stephani protomartyris consecrati, et ad hujusmodi brigae, sive litium declarationem, ad certam rei evidentiam posteris intuendam, praefato abbati fuisse transmissum. Bulla igitur plumbea beatissimi Augustini usque in praesens in

praesenti monasterio sana et integra reverenter servata, in qua signum signati luminis vultus Domini super nos imagine Salvatoris exprimitur, ab illis qui Christi sunt, cum devotione et reverentia est contemplanda. Quod autem sancti papae Gregorii nullum omnino sub bulla plumbea habemus, non est mirum; cum eodem anno quo praesentis monasterii dotatio contingebat, post menses duos, et sex dies, quarto videlicet idus Martii, anno Phocatis imperatoris secundum Bedam et alios chronicatores, secundo, qui fuit annus Domini dcv. postquam sedem Romanae et apostolicae ecclesiae tredecim annis, mensibus sex, et diebus decem gloriosissime rexerat, defunctus est, ad veram quae in caelis est vitam migrando, sepultumque est corpus ejus Romae in ecclesia sancti Petri apostoli ante secretarium, quandoque cum caeteris ad gloriam resuscitandum. Scriptumque est ibidem epitaphium supra recitatum p. 716. super tumbam ejusdem.

Clar. USSERIUS in MSS. notis ad hunc locum sequentia adnotat. Quae pagina praecedente de bulla plumbea S. Augustini anno mccccvi. scripsit Cantuariensis ille monachus, maxima ex parte desumpta sunt ex Thomae Sprotti Chronico, quod ad annum mcccxxv. ab ipso productum Guilielmus Spinaeus sive Thornus deinceps continuavit. Locum Sprotti sub Spinae nomine in Disceptatione historica de antiquitate Benedictinorum in Anglia exhibuit Clemens Reynerus tract. I. §. i. pag. 51. cujus postremam partem, quae vitiose ibi legitur, integritati restitutam, hic etiam visum est repetere. "Cum praedictum Augustini privilegium argueretur falsi, propter bullam plumbeam ab archiepiscopo Cantuariensi Richardo; quidam episcopus transmarinus dedit domino Philippo comiti Flandriae talem bullam plumbeam, qua ipse episcopus et antecessores sui utebantur: quam bullam idem comes, ad majorem veritatis evidentiam, per magistrum Robertum Blundum capellanum suum misit abbati S. Augustini. Quae quidem bulla plumbea cum caeteris ecclesiae munimentis semper reservatur. In cujus bulla una superficie haec est scriptura: SIGILLUM PROTOMARTYRIS STEPHANI: alterius superficie scriptura minus apparente." Ubi et hoc notandum, maximopere falli monachum illum alterum qui ista ex Sprotto mutuatus est, quum Richardum illum Cantuariensem archiepiscopum, quintum (vel sextum potius) a S. Thoma tempore regis Henrici III. post conquestum fuisse asserit. Certissimum enim est, Henrici II. temporibus Thomae Becketi immediatum successorem illum extitisse, de quo ad annum Domini mclxxvi. in Sprotti Chronico ista legimus. "Habebat archiepiscopus duos commensales clericos, ut vulgo dicitur, jurisperitos, veritatis tamen et justae justitiae aemulos; magistrum Gerardum de Pucella, et magistrum Petrum Blesensem. Hi duo inter omnes mundi tunc temporis aestimabantur (nec immerito) eloquentiores: et in Augustini monasterium, velut lupi feroces in Christi agnos mansuetissimos, dentibus lethiferis semper toto mentis conamine grassabantur. Horum fretus consilio

consilio praedictus archiepiscopus, et eorum facundia confusus nefanda, monasterium S. Augustini ex omni parte ferocius impugnabat." Philippum etiam illum, de quo dictum est, Flandriae comitem anno MCLXXVII. in die coenae Domini Cantuariam visitavisse, docet in Chronico suo Dorobernensis Gervasius. Notari hic quoque meretur error Clem. Reyneri Disc. histor. de antiquit. Benedictin. in Anglia p. 50. asserentis originale S. Augustini sub bulla plumbea in D. Henr. Spelmanni archivis adservari. Haec ille. Audiamus clar. Spelmannum.

Non his adducor ut genuinam credam Augustini bullam praecedentem. Sigilli enim fabrica nullum praefert tantae vetustatis specimen. Sculptura multo elegantior, quam sexto convenit post Augustinum seculo. Forma ecclesiae recentioris artificii, et effigies Salvatoris ne hodie quidem indecora.

Inscriptiones literae ejusmodi plane quales in usu erant aetate regum Henrici II. Richardi I. Johannis regis, et Henrici III. cujus tempestatibus bullam plumbeam habeo Honorii papae III. rudioris multo artificii quam ista Augustini. Appenditur et sigillum chartae, non ut in bullis solet pontificiis, e chorda serica, sed pro more a Normannis introducto et in usu hodie, a lemnisco membraneo.

Habentur etiam in contextu bullae voces et clausulae aliquot Augustini aevo non certo competentes: "archiepiscopo: judiciis, intus, et foris: jus consuetudinarium:" quarum prima nusquam, quod sciam, Augustino attribuitur a Gregorio: alteram nondum ambivit, reor, infantula ecclesia: tertia Normannicam sonat locutionem, et forensis nostri juris, non Saxoniam veterem.

Desideratur dati adnotatio: quam e bullae verbis deprehenderis, factam semet indicantis post Ethelberti privilegium, quod in tertia ejus charta erogatum dicitur, "cum regni solio per decem quinquennia sceptrigera potestate potitus esset:" id est, anno regni sui L. qui fuit Dom. nostri DCX. Genuina igitur si fuisset bulla ista, fieri oportebat post annum Domini DCX. quin et Augustinum tunc superstitisse, ut a Malmesburio, Trivetto, Polydoro, Savillo, et aliis perhibetur: potuisse etiam, quod [Epit. Chron. antiq. eccl. Brit. Guil. Harrison. Hollinsh.] alii non tepide affirmarunt, Legiocestriae interfuisse cum Ethelberto et Edilfrido regibus, non dico in ipsa strage monachorum Bangorensium, sed eodem tempore quo patrata fuit. Quam hoc vere ipsi viderint: vir eximius meo non cadet calculo.

Ad bullam redeo, sigillo plumbeo communitam ad exemplum, ut asseritur, ipsius S. Gregorii, cujus ne vel unum proferunt qui hoc tuentur. Certe, nec Gregorius ipse, nec sequentes longo post pontifices sigillis plumbeis aut metallicis usi sunt. Polydorus [De invent. lib. VIII. cap. ii.] ait se perdiu quaesivisse, unde id manaret institutum. "Siquidem," inquit, "fatis constat, Agathonem decimum sextum post Gregorium Magnum pontificem, quo sedente magna sedi facta est honoris accessio — in cera annulo impressisse sigilla. Verum post-

ea cum Romanus pontifex multa erogaret privilegia, ut diplomata diuturniora forent, placuit Stephano III. ac deinde Hadriano I. tabulas apostolicas plumbo obsignari: fuit is annus salutis DCCLXXII. cum ipse Hadrianus factus est pontifex; nam antiquius non reperitur sigillum plumbeum: quemadmodum constat, ante Carolum Magnum imperatorem, literas auro obsignasse principum Romanorum neminem." Si de his plura cupias, vide archeologum nostrum in verbo Bulla.

Chartas regis Ethelberti non esse liberas a suspitione.

De chartis (verba audis clar. USSERII in notis MSS. ad locum) regis Aethelberti, in illo bibliothecae aulae S. Trinitatis apud Cantabrigienfes codice manuscripto, haec subjecta legitur admonitio. "Nec moveat aliquem, quod nec rex Ethelbertus, nec etiam alii reges de gente illa in chartis suis, prout mos inolevit modernis temporibus, sigilla cerea imprimebant: cum tam rudis ac barbarus populus, ad Christi fidem a perfidia conversus, signum crucis in testimonium suae conversionis omnibus suffecisse credebat. Non enim usque post conquestum a tempore foundationis hujus monasterii, excepta charta regis Knuti, qui fuit alienigena et conquestor, aliqua in munimentis reperimus sigilla cerea, sed solummodo crucis signa. Nec mirum: cum tanta ac talis possessio, tantique ac tales testes in principio renascentis ecclesiae Anglicanae (velut nostrae salutis primitivum ac publicum instrumentum fracto damnationis chirographo) posteris catholicis sufficere potuerunt; ubi sigillum cereum per lapsum temporis, aut per negligentiam perdi, aut propter antiquitatem sive corruptionem in pulverem possit labi. Post adventum vero Normannorum in Angliam tam reges quam alii domini et magnates laminas cereas membranis apponebant chartarum: crucis signum in laminis cereis imprimentes; de capillis capitum vel barbarum in eadem cera aliquam portionem pro signo posteris relinquentes. Ista patent in multis monasteriis post conquestum regni istius fundatis, ut est in monasterio S. Pancratii de Lewes, de charta Willelmi primi comitis Warenniae; in qua crines capitis usque in praesens ejusdem comitis permanent. Similiter in monasterio de Castleacre, quod est ejusdem foundationis in dioecesi Norwicensi, comes Lincolniae, qui pluribus possessionibus eandem ecclesiam dotavit, haec in fine intulit chartae suae. "In hujus," inquit, "rei evidentiam sigillum dentibus meis impressi. Teste Muriele uxore mea:" ubi usque in praesens in eadem cera apparent dentium vestigia pro sigillo. His etiam similia in pluribus aliis monasteriis sunt reperta." Haec Cantuariensis ille coenobii Augustiniani monachus: cum quibus et ista Ingulphi conferenda, in Croylandensis monasterii historia. "Chirographorum confectio Anglianam, quae antea usque ad Edwardi regis tempora fidelium praesentium subscriptionibus cum crucibus aureis aliisque sacris signaculis firma fuerunt, Normanni condemnantes, chirographa chartas vocabant; et chartarum

tarum firmitatem cum cerea impressione per uniuscujusque speciale sigillum sub intitulatione trium vel quatuor testium astantium conficere constituebant." Haftenus USSERIUS. SPELMANNUS sequentia de chartis R. Aethelberti narrat.

Nec sine fuco (vereor) regis Ethelberti chartae praecedentes. In secunda enim et tertia rex Anglorum appellatur, cum non Anglorum proprie, sed Jutarum et Saxonum Cantium habitantium rex esset, ideoque ut in prima charta rex Cantiae vulgariter nuncupatus, licet eodem tempore ex potentia sua imperii fines super omnes reges usque ad confinium Humbri fluminis (ut Beda lib. I. cap. xxv. et lib. II. cap. iii. notat) tetendisset. Scio S. Gregorium eum titulo salutasse regem Anglorum, quod notiores ei Angli essent, quos Romae viderat, quam caeterae in Britannia nationes: sed Beda eum regem Cantiorum vocat, et sic passim nostri historici, nec abdicasse regem censeam usitatum suum et avitum titulum.

Quaerendum etiam est an annus Christi incarnationis jam tum accesserat (ut hic cernitur) regum nostrorum chartis et privilegiis. Nam deesse video, cum in epistolis S. Gregorii, tum in chartis et privilegiis quae nobis obvenerunt regum Franciae: licet Dionysius abbas Romanus eum antea per centum pene annos in computum suum ecclesiasticum induxisset. Chartis vero et privilegiis ascribi quippe tunc solebat regis vel imperatoris annus, cum indictionis saepenumero, non Christi epocha. Ad tollendam hanc dubitationem conducit maxime consuetudinem nosse vetusti illius seculi, rudis etiam et inertis populi, qui non tantum praedia soliti sunt conferre sine scripto, quod et hodie valeat cum debita ceremonia, sed etiam, ut asseritur, libertates et privilegia usque ad tempora Witheredi regis Cantii, qui regnum iniisse dicitur circa annum Domini nostri dcc. et edidisse chartam primam vel diploma scriptum, quod et Cantuariae conservari voluit ad exemplar edendorum aliorum illiusmodi pro ecclesiae uniuscujusque beneficio. Videntur igitur chartae et diplomata, quae anterioris proferuntur dati, ad ulterius fore et suspectae fidei: audi quid in veteri quodam MS. codice ecclesiae Cantuariensis A. p. 88. a. hac de re habetur.

Sanctus Ethelbertus rex Angliae, qui suscepit

christianitatem a beato Augustino, misso a beato Gregorio papa an. Dom. dxcvi. in ecclesiam Christi Cantuariae dedit eidem Augustino et successoribus suis palatium regium, et sedem perpetuam in civitate Doroberniae, quae nunc dicitur Cantuaria, cum ecclesia veteri, quae ab antiquo tempore Romanorum ibidem fuerat fabricata, quam ipsemet Augustinus sancti Salvatoris nomine dedicavit post consecrationem suam Arelatis factam.

Statuit etiam idem rex, auctoritate sanctae Romanae ecclesiae, ut in ecclesia Cantuariae ordinem monasticum monachi inperpetuum observarent, ne primorum videlicet praedicatio monachorum a memoria deleteretur, sed semper recens in mentibus succedentium perseveraret.

Dedit etiam idem rex possessiones amplas praedictis fratribus infra civitatem Cantuariae et extra. Et exinde dicta Dorobernensis ecclesia propter primatum, et quia inde primo christiana religio emanavit, et regnum Anglorum illuminavit, sicut rex ipse tenuit suas terras et consuetudines liberas et quietas in suo dominio; ita archiepiscopus et ecclesia praenominata tenuit terras suas et consuetudines suas omnino liberas et quietas in suo dominio, et inconcussa habuit dicta ecclesia Cantuariae omnimodas libertates et consuetudines suas in possessione pacifica sine interruptione cujusunque, ex consuetudine et antiquo more, sine chartis vel munimentis regis usque ad tempora Whytredi regis, cujus munimenti tenor talis est. Anno dominicae Incarnationis dxciv. Whytredus gloriosus rex Cantiae cum reverendissimo archiepiscopo Bryghtwaldo praecipit congregari concilium, etc. quae vide supra in anno eodem.

Cautius igitur intuendae sunt veterrimae monasteriorum chartae: fraudem enim saepe olent, et ab antiquis ipsis eo perstringuntur stigmatibus, ut supra animadvertas in veteri apologia pro bulla Augustini. Sed notabile illud est, quod circa cccc. abhinc annos retulit Gervasius in suo Chronico: qui in anno Domini mclxxxi. scribit "Monachos coenobii Augustinensis produxisse multas chartas suspectas et raras." Bonum est in earum datis accurate observare annorum concordantiam, scil. Christi, papae, indictionis, atque regis; in his enim saepius contigit hallucinatum iri.

Offo nobilis Anglosaxo fidem inter Germanos serit. [Circa ann. Dom. dciii. Ex Spelm. vol. I. p. 126.]

ANNO Christi dciii. venit ex Anglia vir quidam insignis, satus ex regio sanguine, nomine Offo, trajectoque Rheno, in votis habuit plantare fidem Christi inter Germanos, et primum quidem fundavit monasterium Schuttern, et intervallo unius miliarii ab eo construxit super amnem Kintzig castellum, quod ab eo fuit appellatum Offonisburgum, quod successu temporis incrementa suscipiens, tandem factum est oppidum imperiale, vulgo Offenburg appella-

tum. Munster Cosmog. lib. III. cap. cclxxiv.

Nota. Videtur hic Offo quispiam fuisse e conversis Saxonibus, quibus jam sexennio pene evangelium praedicaverat Augustinus, Britanniam ingressus, sub an. Dom. dxcvii. ut e Beda liquet, Eccl. Hist. lib. I. cap. xxiii. De quo videndus Franciscus Guillimannus de episc. Argentoratens. in S. Amando, et Jodocus Coceius in Dagoberto suo cap. viii.

Laurentius successor Augustini et episcopi sui, clerum Scotorum et Britannorum ad unitatem ecclesiae suae invitant et hortantur, maxime in Paschatis observatione. Ex Beda H. E. lib. II. cap. iv. [Circa ann. Dom. DCX. Spelm. vol. I. p. 128. seq.]

SUCCESSIT Augustino episcopatu Laurentius, quem ipse idcirco adhuc vivens ordinaverat, ne se defuncto status ecclesiae tam rudis, vel ad horam pastore destitutus vacillare inciperet. In quo et exemplum sequebatur primi pastoris ecclesiae, hoc est, beatissimi apostolorum principis Petri, qui fundata Romae ecclesia Christi, Clementem sibi adiutorem evangelizandi simul et successorem consecrasset perhibetur.

Laurentius archiepiscopatus gradu potitus, strenuissime fundamenta ecclesiae, quae nobiliter jacta, vidit augmentari, atque ad perfectum debiti culminis, et crebra voce sanctae exhortationis, et continuis piae operationis exemplis provehere curavit. Denique non solum novae, quae de Anglis erat collecta, ecclesiae curam gerebat, sed et veterum Britanniae incolarum necnon et Scotorum, quae Hiberniam insulam Britanniae proximam incolunt, populis pastorem impendere sollicitudinem curabat. Si quidem ubi Scotorum in praefata ipsorum patria, quomodo et Britonum in ipsa Britannia vitam ac professionem minus ecclesiasticam in multis esse cognovit, maxime quod Paschae solennitatem non suo tempore celebrarent, sed, ut supra docuimus, a decima quarta luna usque ad vicesimam dominicae Resurrectionis, diem observandum esse putarent, scripsit cum coepiscopis suis exhortatoriam ad eos epistolam,

obsecrans eos et contestans, unitatem pacis et catholicae observationis cum ea, quae toto orbe diffusa est Christi ecclesia, tenere, cujus videlicet epistolae principium hoc est.

Dominis charissimis fratribus episcopis vel abbatibus per universam Scotiam Laurentius, Melitus, et Justus episcopi, servi fervorum Dei. Dum nos sedes apostolica more suo, sicut in universo orbe terrarum, in his occiduis partibus ad praedicandum gentibus paganis dirigeret, atque in hanc insulam, quae Britannia nuncupatur, contigit introisse antequam cognosceremus, credentes, quod juxta morem universalis ecclesiae ingrederentur, in magna reverentia sanctitatis tam Britones, quam Scotos venerati sumus. Sed cognoscentes Britones, Scotos meliores putavimus. Scotos vero per Dagamum episcopum in hanc quam superius memoravimus insulam, et Columbanum abbatem in Galliis venientem, nihil discrepare a Britonibus in eorum conversationibus didicimus. Nam Dagamus episcopus ad nos veniens, non solum cibum nobiscum, sed nec in eodem hospitio quo vescebamur sumere voluit.

Misit idem Laurentius cum coepiscopis suis etiam Britonum sacerdotibus literas suo gradui condignas, quibus eas in unitate catholica confirmare satagit. Sed quantum haec agendo profecerit, adhuc praesentia tempora declarant.

Concilium Romanoanglicum sub Bonifacio IV. in causa Anglicanae ecclesiae celebratum Romae anno VIII. Focae imp. indictione XIII. et 3. die calendarum Martiarum; rem Anglicam promovente, et in eodem consedenti Mellito primo episcopo Londinensi. [Ibidem p. 129.]

Non reperiuntur istius concilii canones vel decretum: sed finitis quae praecedunt de Laurentio archiepiscopo Cantuariæ, Beda sic progreditur lib. II. cap. iv.

HIS temporibus venit Mellitus, Londoniae episcopus Romam de necessariis ecclesiae Anglorum causis cum apostolico papa Bonifacio tractaturus. Et cum idem papa reverendissimus cogeret synodum episcoporum Italiae de vita monachorum, et quiete ordinaturus, et ipse Mellitus inter eos affedit anno octavo imperii Focae principis, indictione decima tertia, tertia die calendarum Martiarum, ut quaeque erant regulariter decreta, sua quoque auctoritate subscribens confirmaret, ac Britanniam rediens, secum Anglorum ecclesiis mandanda, atque observanda deferret, una cum epistolis quas idem pontifex Deo dilecto archiepiscopo Laurentio et clero universo, similiter et Edilberto regi atque genti Anglorum direxit. Hic est Bonifacius quartus a beato Gregorio, Romanae

urbis episcopus, etc.

Nota. Extra moenia Londini civitatis recens erat extructum monasterium, pro cujus regulari observantia Mellitus plurimum sollicitus, Romam se contulerat: utpote quod illud ipsum fore sciret, si bene custodiretur, amplum seminarium, ex quo omnes ecclesiae, quae erant in Anglia, sibi antistites adsciscerent. His accedebat alia causa, quae et potissima videri poterat, an nimirum rata sit habenda ecclesiae S. Petri ejusdem monasterii dedicatio divinitus facta, de qua plura valde miranda refert Ealredus abbas, scriptor gravissimus in vita S. Edwardi regis Anglorum, apud Surium die 5. Januarii. Vide Baron. anno DCX. num. 10. Sic Binnus tom. II. vet.

Bonifacii IV. decretum pro introducendis primis monachis regularibus in ecclesiam Christi Cantuariæ. Ex Annal Petriburgen. MSS. [Ann. Dom. DCX. Spelm. vol. I. p. 130. seq.]

Habetur hæc epistola p. 726. b. quam ex Malmesburio correctam exhibeo.

BONIFACIUS papa, Aethelberto regi Anglorum. Domino excellentissimo atque prae-
cellentissimo filio regi Anglorum Aethelberto Bonifacius episcopus, servus fervorum Dei. Dum christianitatis vestrae integritas ita circa conditoris sui cultum excreverit, ut longe lateque resplendeat, et in omni mundo annunciata, vestrae Deo dignae operationis augmenta referat: enormes largitori omnium bonorum Deo grates exolvimus, qui vos de excelsis prospexit, et in tanto virtutum culmine erexit.

Quapropter gloriose fili, quod ab apostolica sede per coepiscopum nostrum Mellitum postulastis, libenti animo concedimus, id est, ut vestra benignitas in monasterio in Dorovernensi civitate constituto, quod sanctus doctor vester Augustinus (beatae memoriae Gregorii discipulus) sancti Salvatoris nomini consecravat, cui ad praesens praeesse dignoscitur dilectissimus frater noster Laurentius, licenter per omnia monachorum regulariter viventium habitationem statuatur apostolica auctoritate: ^a decernentes, ut ipsi vestrae salutis praedicatores monachi, monachorum gregem sibi adsociant, et eorum vitam ^b sanctam tum moribus exornent.

Quae nostra decreta si quis successorum vestrorum regum, sive episcoporum, clericorum sive laicorum irrita facere tentaverit, a principe apostolorum Petro, et a cunctis successoribus suis anathematis vinculo subiaceat, quoad usque quod temerario ausu peregit, Deo placita satisfactione poeniteat, et hujus inquietudinis vestrae emendationem ^c faciat. In Christo valeas domine fili. Actum sane anno Incarnationis ^d sexcentesimo quarto decimo, imperante Foca Augusto piissimo, anno imperii ejusdem principis octavo, indictione ^e XIV. tertia die Martiarum, Aethelberti regis regni anno quinquagesimo tertio ^f.

Notae. Surrepisse hic videtur in Annali dato (ut centies istiusmodi solent) verbum quatuor, legendumque hoc excluso, anno Incarnationis sexcentesimo decimo, qui in synchronismo recte convenit cum Focae imp. anno VIII. et indictionis anno XIII. ut codex unus MS. reddit. Mendose autem omnino editur annus DCXIV. neque enim tunc Focas imp. sed Heraclius, nec Bonifacius papa, sed Deusdedit, nec Laurentius monasterii S. Salvatoris praefectus, sed in archiepiscopatum Cantuariæ, circiter triennium antea, si auctori Antiqq. eccl. Brit. credamus, sublimatus. Sed auget errorem chartae istius exemplum aliud quod profert hic auctor datum anno Incarnationis DCXV. Et extensus adhuc ille ipsemet, Bonifacio quinto chartam ascribens, qui papatum non adeptus est

ante an. Christi DCXVII. et Foca imperatore et Aethelberto rege jam vita functo. Sine dubio igitur Bonifacio quarto tribuenda est, qui an. Christi DCX. pontificatus sui annum sextum agebat. Datorum etiam adnotatio, quae a primis transcribentibus saepenumero praetermittitur, a recentiori forte est apposita: rarissime enim annus Christi habetur in istius aevi epistolis, ut nos alias admonuimus inquirendum. Quin et hic adscriptum vides annum regni Aethelberti, ac si hunc in suis literis posuisse, curae esset Bonifacio. Haec SPELM.

Clar. USSERIUS in notis MSS. ad locum, his rem totam expedit verbis. Epistolam hanc in bibliotheca Cottoniana reperi, cum interlineari quoque interpretatione Saxonica, praefixam historiae cuidam Anglosaxonicae quondam pertinenti ad monasterium S. Augustini Cantuar. in qua subscriptio erat hujusmodi. "Actum sane anno Incarnationis sexcentesimo quartodecimo, imperante Foca Augusto piissimo, anno imperii ejusdem principis octavo, indictione tertiadecima, quarta die calendarum [Martiarum seemeth to be wanting here as calendarum in the foregoing epistle, which being added thereunto and the thirteenth indiction also retayned, will shew that the date also was here taken out of Bede lib. II. cap. iv.] Aethelberti regis regni anno quinquagesimo tertio:" pro qua apud Guilielmum Malmesburiensem (qui libro I. De gestis pontificum in Lanfranco, hanc et alias epistolas ad dignitatem sedis Cantuariensis astruendam spectantes inseruit) habetur. "Missa per manum Melliti, episcopi Londoniensis anno dominicae Incarnationis DCXV." Haec USSER.

Aethelbertus rex Deo inspirante pro animae suae remedio dedit episcopo Mellito terram, quae appellatur Tillingham ad monasterium sive solatium scilicet S. Pauli. Et ego rex Aethelbertus ita firmiter concedo tibi praefuli Mellito potestatem ejus habendi et possidendi, ut in perpetuum in monasterii utilitate permaneat, etc. Sto. pag. 77. inter ann. DCIV. et DCXIX.

Extat prior epistola antiquiss. scripta in fine Annalium Petriburgensium, interlineari Saxonica interpretatione: et juxta eandem varias lectiones in margine annotavimus. Notatur autem illic a recentiore in hunc modum. "An. MCLXXXI. Gervasius scribit monachos coenobii Augustinensis produxisse multas chartas suspectas et raras." Indeque orta est illa jam commemorata inter Richardum archiepiscopum et Augustinianos monachos de chartarum illarum *authenticâ* controversia. Quare igitur de ista epistola, neque enim in an. Dom. DCXIV. erat Focas imperator, sed successor ejus Heraclius, nec Bonifacius papa, sed ejus successor Deusdedit.

^a Alias perdonantes.

^b Alias sanctitatum

^c Alias promittat.

^d Alias sexcent.

^e Alias tertia decima.

^f Alias quarto.

Ego genuinam existimo; annum imperatoris et indictionis recte posuit, erratum vero a scriptore apponendo in anno Domini verbum quarto, cum revera esset sexcentesimo decimo, ut etiam in notando indictione XIV. pro XIII. ut aliud exemplar habet. Ascripsitque annum Ethelberti LIII. (pro anno L.) ac si papa istum etiam in suis literis addidisset. Vide si haec epistola reperiatur inter Bonifacii IV. III. et II. nam in dubio est quis horum scripsit, cum intra triennium omnes papatum adierint. In Godw. de eo. Sed apparet esse Bonifacii IV.

Nam missa fuit epistola Ethelberti per Mellitum Romam proficiscentem, qui factus est Londini episcopus anno DCIII. et circiter quadrennium postea Romam venit anno DCVII. mansisseque illic usque concil. Romanum in anno DCX. et rediens attulisse epistolam istam videtur Bedae testimonio lib. II. cap. iv. vel Alexandri II. pontificis potius, qui in literis ad Lanfrancum hanc ipsam epistolam Bonifacii nomine producit, qui quartus a beato Gregorio ecclesiae Romanae praefuit (apud Eadmer. Histor. novor. lib. I. pag. 2.)

Obitus Ethelberti regum Anglorum primi christiani. Ex Beda Hist. Eccl. lib. II. cap. v. [Ann. Dom. DCXIII. Spelm. vol. I. p. 131.]

ANNO ab Incarnatione dominica sexcentesimo decimo tertio, qui est annus vicesimus primus ex quo Augustinus cum sociis ad praedicandum genti Anglorum missus est, Edelbertus rex Cantuariorum, post regnum temporale, quod quinquaginta et sex annis gloriosissime

tenuerat, aeterna caelestis regni gaudia subiit. — Defunctus vero est die 24. mensis Februarii post vigesimum et unum annum acceptae fidei, atque in porticu S. Martini intra ecclesiam beatorum apostolorum Petri et Pauli sepultus. Ubi et Berta regina condita est.

Conversio Gevissorum, id est, occidentalium Saxonum. Ibidem lib. III. cap. vii. [Ann. Dom. DCXXIV. Ibidem p. 132.]

EODEM tempore gens occidentalium Saxonum, qui antiquitus Geviffe vocabantur, regnante Cynigilso fidem Christi suscepit; praedicante illis verbum Byrino episcopo, qui cum consilio papae Honorii venerat Britanniam, promittens quidem se illo praesente in intimis ultra Anglorum partibus, quo nullus doctor praecessisset, sanctae fidei semina esse sparsurum. Unde et jussu ejusdem pontificis per Asterium, Genuensem episcopum in episcopatus consecratus est gradum. Sed Britanniam perveniens, ac primum Gevissorum gentem ingrediens, cum omnes ibidem paganissimos inveniret, utilius esse ratus est, ibi potius verbum Dei praedicare quam ultra progrediens eos quibus praedicare deberet inquirere. Itaque evangelizante illo in praefata provincia, cum rex ipse catechizatus fonte baptismi cum sua gente ablueretur, contigit tunc temporis sanctissimum ac victoriosissimum regem Nordanhumbrorum, Oswaldum affuisse, eumque de lavacro exeuntem suscepisse, ac pulcherrimo prorsus et Deo digno confortio, cujus erat filiam accepturus in conjugem, ipsum prius secunda generatione Deo dedicatum sibi accepit in filium. Donaverunt ergo ambo reges eidem episcopo civitatem quae vocatur Dorcicca, ad faciendam inibi sedem episcopalem. Ubi factis dedicatisque ecclesiis, multisque ad Dominum pro ejus labore populis advocatis, migravit ad Dominum. Sepultusque in eadem civitate, et post annos multos Hedde episcopatum agente, translatus inde in Ventam civitatem, atque in ecclesia beatorum apostolorum Petri et Pauli positus est.

Defuncto autem et rege, successit in regnum filius ejus Coinwalch, qui et fidem et sacramenta regni caelestis suscipere renuit; et non multo post etiam regni terrestri potentiam perdidit. Repudiata enim sorore Pendan regis

Merciorum, quam duxerat, aliam accepit uxorem. Ideoque bello petitus, ac regno privatus ab illo, secessit ad regem orientalium Anglorum, cui nomen erat Anna, apud quem triennio exulans fidem cognovit, ac suscepit veritatis. Nam et ipse, apud quem exulabat, rex erat vir bonus, et bona ac sancta sobole felix, ut in sequentibus docebimus. Cum vero restitutus esset in regnum Coinwalch, venit in provinciam de Hibernia pontifex quidam nomine Agilbertus, natione quidem Gallus, sed tunc legendarum gratia Scripturarum in Hibernia non parvo tempore demoratus; conjunxitque se regi, sponte ministerium praedicandi assumens: cujus eruditionem atque industriam videns rex, rogavit eum, accepta ibi sede episcopali, suae genti manere pontificem. Qui precibus ejus annuens, multis annis eidem genti sacerdotali jure praefuit. Tandem rex, qui Saxonum linguam tantum noverat, pertaesus barbarae loquelae, subintrodixit in provinciam alium suae linguae episcopum, vocabulo Vini, et ipsum in Gallia ordinatum. Dividensque in duas paroecias provinciam, huic in civitate Venta, quae a gente Saxonum Vintancestir appellatur, sedem episcopalem tribuit. Unde offensus graviter Agilbertus, quod haec ipso inconsulto ageret rex, rediit Galliam, et accepto episcopatu Parisiaca civitatis, ibidem senex et plenus dierum obiit. Non multis autem annis post abscessum ejus a Britannia transactis, pulsus est Vini ab eodem rege de episcopatu, qui secedens ad regem Merciorum, vocabulo Vulfheri, emit pretio ab eodem sedem Londoniae civitatis, ejusque episcopus usque ad vitae suae terminum mansit. Sicque provincia occidentalium Saxonum tempore non paucis absque praefule fuit. Quo etiam tempore rex praefatus ipsius gentis, gravissimis regni sui damnis faepissime

pissime ab hostibus afflicto, tandem ad memoriam reduxit, quod eum quem pridem perfidia regno depulerit, fide agnita Christi in regnum revocaverit. Intellexitque quod etiam tunc destituta pontifice provincia, recte pariter divino fuerit destituta praesidio. Misit ergo legatarios in Galliam ad Agilbertum, submissa illum satisfactione deprecans ad episcopatum suae gentis redire. At ille se excusans, et eo venire non posse contestans, quia episcopatu propriae civitatis ac parochiae teneretur astrictus; ne tamen obnix petenti nil ferret auxilii, misit pro se illo presbyterum Eleutherium nomine, nepotem suum, qui ei, si vellet, ordinaretur episcopus, dicens: quod ipse eum dignum esse episcopatu iudicaret. Quo honorifice a populo et a rege suscepto, rogaverunt Theodorum, tunc archiepiscopum Dorovernensis ecclesiae ipsum sibi antistitem consecrari. Qui consecratus in ipsa civitate, multis annis episcopatum Gevissorum ex

synodica sanctione solus sedulo moderamine gessit.

Nota. The conversion of the Westsaxons (sunt verba clar. USSERII in MSS. notis ad locum) was after this time: and being done by the counsel of pope Honorius sending Byrinus into Britain, should rather have been referred unto his times; the latter part also, wherein mention is made of Theodorus, archbishop of Canterbury, being to be referred unto lower times than that also. Haec USSERIUS.

Apparet e novissimis hic Bedae verbis, fuisse sub hoc tempore concilium a Theodoro, Dorobernensi archiepiscopo celebratum, in quo episcopatus occidentalium Saxonum, qui nuper a Coinwalcho rege in duas parochias divisus fuit (Dorincensem nempe et Wintanensem) jam in unum denuo coalescere sancitum est.

Conversio orientalium Anglorum. Ex Matt. Westmonast. [Ann. Dom. DCXXXII. Spelm. vol. I. p. 139. seq.]

“ANNO gratiae DCXXXII. rex orientalium Anglorum Eorpenwaldus, hortatu regis Eadwini, fidem Christi suscepit. Verum postquam cum omni gente sua per Felicem episcopum credidit, non multum vixit, quia a viro gentili, nomine Regberto, occisus est. Exinde tribus annis provincia illa in errore permansit. Fuit autem Felix episcopus memoratus, natione Burgundus, quem ad illam provinciam Honorius, Cantuariensis archiepiscopus tandem miserat ad praedicandum, accepitque sedem episcopatus in civitate Dommoc, ubi cum septemdecim annis pontificale officium complevisset, in pace vitam finivit.” Haec MAT. WESTM. sed Bedam Hist. Eccl. lib. III. cap. xviii. una accipe.

“His temporibus regni orientalium Anglorum, post Eorpwaldum Redualdi successorem, Sigbertus frater ejus praefuit, homo bonus ac religiosus, qui dudum in Gallia, dum inimicitias Redualdi fugiens exularet, lavacrum baptismi percepit, et patriam reversus, ubi regno potitus est, mox ea quae in Galliis bene disposita vidit, imitari cupiens, instituit scholam in qua pueri literis erudirentur, juvante se episco-

po Felice, quem de Cantia acceperat, eisque paedagogos ac magistros juxta morem Cantuariorum praebente. Tantumque rex ille caelestis regni amator factus est, ut ad ultimum relictis regni negotiis, et cognato suo Ecgrico commendatis, qui et antea partem ejusdem regni tenebat, intraret monasterium quod sibi fecerat, atque accepta tonsura, pro aeterno magis regno militare curaret. Quod dum multo tempore faceret, contigit gentem Merciorum duce rege Penda adversus orientales Anglos in bellum procedere. Qui dum se inferiores in bello hostibus conspicerent, rogaverunt Sigbertum ad confirmandum militem secum venire in praelium. Illo nolente ac contradicente, invitum de monasterio eruentes duxerunt in certamen sperantes minus animos militum trepidare, minus praesente duce quondam strenuissimo et eximio, posse de fuga meditari. Sed ipse professionis suae non immemor, dum optimo esset vallatus exercitu, non nisi virgam tamen habere in manu voluit. Occisusque est una cum rege Ecgrico, et cunctus eorum, insistentibus paganis, caesus sive dispersus exercitus.”

Conversio Anglorum mediterraneorum. Ex Beda Hist. Eccl. lib. III. cap. xxi. [Ann. Dom. DCLV. Ibidem p. 143.]

HIS temporibus Midilengli, id est, mediterranei Angli sub principe Peada filio Pandan regis, fidem et sacramenta veritatis perceperunt. Qui cum esset juvenis optimus, ac regis nomine ac persona dignissimus, praelatus est a patre regno gentis illius. Venitque ad regem Nordanhumbrorum Oswi, postulans filiam ejus Alchfledam sibi conjugem dari, neque aliter quod petebat impetrare potuit, nisi fidem Christi ac baptismum, cum gente cui praeerat, acciperet. At ille audita praedicatione veritatis, et promissione regni caelestis, speque resurrectionis

nis, ac futurae immortalitatis, libenter se christianum fieri velle confessus est, etiam si virginem non acciperet, persuasus maxime ad percipiendam fidem a filio regis Oswi, nomine Alchfrido, qui erat cognatus et amicus ejus, habens sororem ipsius conjugem vocabulo Cymburgam filiam Pandan regis. Baptizatus est ergo a Finano episcopo, cum omnibus qui secum venerant comitibus ac militibus, eorumque famulis universis, in vico regis illustri qui vocatur Admurum. Et acceptis quatuor presbyteris, qui ad docendam baptizandamque gentem illius, et

eruditione et vita videbantur idonei, multo cum gaudio reversus est. Erant autem presbyteri Cedda, et Adda, et Betti, et Diuna, quorum ultimus natione Scotus, caeteri fuere Angli. Adda autem erat frater Uttan presbyteri illustris, et abbatis monasterii quod vocatur ad Capreae caput, cujus supra meminimus.

Venientes igitur in provinciam memorati sacerdotes cum principe, praedicabant verbum, et libenter auditi sunt. Multique quotidie et nobilium et infimorum abrenunciata sorde idololatriae, fidei sunt fonte abluti. Nec prohibuit Penda rex, quinetiam in sua, hoc est, Merciorum natione, verbum, si qui vellent audire, prae-

dicaretur. Quin potius odio habebat, et despiciebat eos, quos fide Christi imbutos opera fidei non habere deprehendit, dicens contemnendos et miseros esse eos, qui Deo suo in quem crederent, obedire contemnerent. Coepta sunt haec biennio ante mortem Pendae regis. Ipso autem occiso, cum Oswi rex christianissimus regnum ejus acciperet, ut in sequentibus dicemus, factus est Diuna unus ex praefatis quatuor sacerdotibus episcopus mediterraneorum Anglorum simul et Merciorum ordinatus a Finano episcopo. Paucitas enim sacerdotum cogebat unum antistitem duobus populis praefici, etc.

Conversio Merciorum, occiso jam Penda rege suo. Ex Bed. lib. III. cap. xxiv. et Florileg. in anno DCLV. [Spelm. vol. I. p. 144. seq.]

His temporibus rex Oswi cum acerbas et intolerabiles pateretur irruptiones saepe dicti regis Merciorum [Pendae] qui fratrem ejus occiderat, ad ultimum necessitate cogente, promisit se ei innumera, et majora quam credi potest, ornamenta regia vel donaria in pretium pacis largiturum, dummodo ille domum rediret, et provincias regni ejus usque ad internecionem vastare desineret. Cumque rex perfidus, nullatenus precibus illius assensum praeberet, qui totam ejus gentem a parvo usque ad magnum delere, atque exterminare decreverat, respexit ille ad divinae auxilium pietatis, quo ab impietate barbarica posset eripi; votoque se obligans, si paganus inquit, nescit accipere nostra donaria, offeramus ei, qui novit, Domino Deo nostro. Vovit ergo quod si victor existeret, filiam suam Domino sacra virginitate dicandam offerret, simulque duodecim possessiones praediorum ad construenda monasteria donaret, et sic cum paucissimo exercitu se certamini dedit. Denique fertur, quod tricies majorem pagani habuerint exercitum, siquidem ipsi triginta legiones ducibus nobilissimis instructas in bello habuere. Quibus Oswi rex cum Alchfrido filio perparvum, ut dixi, habens exercitum, sed Christo duce confusus occurrit. Nam alius filius ejus Ecfrid eo tempore in provincia Merciorum apud reginam Cinuisse obses tenebatur. Filius autem Oswaldi regis Edilwald qui eis auxilio esse debuerat, in parte erat adversariorum, eisdemque contra patriam et patruum suum pugnaturis ductor extiterat, quamvis ipso tempore pugnandi sese pugnae subtraxerat, eventumque discriminis tuto in loco expectabat. Inito ergo certamine fugati sunt, et caesi pagani duces regii triginta, et qui ad auxilium venerant pene omnes interfecti, in quibus Edilhere, frater Annae regis orientalium Anglorum, qui post eum regnavit auctor ipse belli, perditis militibus sive auxiliis interemptus est. Et quia prope fluvium Juwet pugnatum est, qui tunc prae inundantia pluviarum late al-

veum suum, imo omnes ripas suas transierat, contigit, ut multo plures aqua fugientes, quam bellantes perderet ensis. Tunc rex Oswi, juxta quod Domino voverat pro collata sibi victoria, gratias Deo referens, dedit filiam suam Elfedam, quae vix dum unius anni aetatem impleverat, perpetua ei virginitate consecrandam, donatis insuper duodecim possessiunculis terrarum, in quibus ablato studio militiae terrestri, ad exercendam militiam caelestem supplicandumque pro pace gentis ejus aeterna devotioni sedulae monachorum locus facultasque suppeteret. E quibus videlicet possessiunculis sex in provincia Deirorum, sex in Berniciorum dedit. Singulae vero possessiones decem erant familiarum, id est, simul omnes centum viginti. Intravit autem praefata regis Oswi filia Deo dicanda monasterium quod nuncupatur Heruteu, id est, insula cervi, cui tunc Hilda abbatissa praefuit. Quae post biennium comparata possessione decem familiarum, in loco qui dicitur Streaneshalch ibi monasterium construxit. In quo memorata regis filia primo discipula vitae regularis, deinde etiam magistra extitit, donec completo sexaginta annorum numero ad complexum et nuptias sponso caelestis virgo beata intraret. In quo monasterio et ipsa, et pater ejus Oswi, et mater ejus Eanfled, et pater matris ejus Edwinus, et multi alii nobiles in ecclesia S. Petri apostoli sepulti sunt.

Hoc autem bellum rex Oswi in regione Loidis tertio decimo regni sui anno, decimo septimo die calendarum Decembrium, cum magna utriusque populi utilitate confecit. Nam et suam gentem ab hostili paganorum depopulatione liberavit, et ipsam gentem Merciorum finitimarumque provinciarum, defecto capite perfido, ad fidei christianae gratiam convertit. Primus autem in provincia Merciorum simul et Lindisfarorum ac mediterraneorum Anglorum factus est episcopus Diuna, ut supra diximus, qui apud mediterraneos Anglos defunctus ac sepultus est. Secundus Cellach, etc.

Oswi rex Nordanumbrorum et Ecgbertus Cantiorum, Vitaliano papae Romam mittunt, ut ejus de Paschate judicium referatur, qui suis literis hoc denunciat. Ex Bed. Hist. Eccl. lib. III. cap. xxix. [Circa ann. Dom. DCLXVII. Spelm. vol. I. p. 150.]

His temporibus reges Anglorum nobilissimi, Oswi provinciae Nordanumbrorum, et Ecgbert Cantuariorum, habito inter se consilio quid de statu ecclesiae Anglorum esset agendum: intellexerat enim veraciter Oswi, quamvis educatus à Scotis, quia Romana esset catholica et apostolica ecclesia, assumpserunt cum electione et consensu sanctae ecclesiae gentis Anglorum virum bonum et aptum episcopatu presbyterum

nomine Vighardum, de clero Deusdedit archiepiscopi, et hunc antistitem ordinandum Romam miserunt, quatenus accepto ipse gradu archiepiscopatus, catholicos per omnem Britanniam ecclesiis Anglorum ordinare posset antistites. Verum Vighardus Romam perveniens, priusquam consecrari in episcopum posset, morte praereptus est, et hujusmodi literae regi Oswi Britanniam remissae sunt.

Theodorus a Vitaliano papa fit Dorobernensis archiepiscopus. [Ann. Dom. DCLXVIII. Ibidem p. 152.]

MORTUIS Deusdedit Dorobernensi archiepiscopo, et, quem ad capeffendum locum ejus Egbertus Cantiorum, et Oswius Northumbrorum reges Romam miserant, Wighardo Anglo quodam erudito: Vitalianus papa in archiepiscopatum sufficit Theodorum, Graecum monachum, cum in moribus, tum in literis illustrem admodum et laudatum. Ne quid tamen contra Romanos ritus in ecclesiam Anglicanam introduceret, speculatorem ei imposuit, atque remoram, Adrianum abbatem Veridanum, non longe a Neapoli, Afrum natione, sed aetate venerandum, et in sacris literis, omnique eruditionis genere instructissimum. Fefellit autem

quod sub initio metuebat Vitalianum: Theodoro enim nemo acrius promovebat Romanos ritus et ecclesiae canones: quos et peragratus totam insulam, ubique stabilivit, et quod antea nulli obtigisset, omnis ecclesia Anglicana ei primo libenter se subjecit.

Perhibent etiam antiquitates ecclesiae Christi Cantuariæ, in vita Theodori, Theodorum istum Cantuariensem provinciam per parochias primum distribuisse: fierique hoc designat in vita Ercomb. Stowus haud longe post excessum Ercomberti regis Cantiorum, cui male non quadrabunt priores anni pontificatus Theodori.

Modus imponendi poenitentiam a Theodoro archiepiscopo institutus. Ibidem p. 154.]

CONSTITUIT praeterea Theodorus archiepiscopus Doroberniae, poenitenciales regulas copiosas, omni peccantium peccatorumque generi, qua ille potuit providentia, imponendas: de quibus Regino abbas Prumiensis sic in chronico suo sub anno Dom. DLXXVI. qui mendose admodum ponitur, ut numeri illic et alia plurima solent, Theodorus enim nec pontificalem ascendit cathedram, nec in Angliam venit per centum deinceps pene annos, si fastis nostris fides. Corrigendum igitur tempus: sed rem attende. “Per id,” inquit, “tempus Theodorus archiepiscopus, et Adrianus abbas doctissimus a Vitaliano papa missi sunt in Britanniam, plurimasque ecclesias Anglorum doctrinae apo-

stolicae fruge foecundarunt, e quibus Theodorus archiepiscopus peccantium judicia, quantis scilicet annis pro unoquoque peccato quis poenitere debeat, mirabili et discreta consideratione describit.”

Habetur in celebri bibliotheca S. Benedicti Cantabrigiensis, liber iste poenitentialis Theodori, archiepiscopi Doroberniae: sed cum prolixior sit quam ut commode hic inferatur, nec facile concedatur venia transcribendi totum codicem, nos capitula solummodo vel potius capitulorum fastigia annectemus.

[Habetur in Spicilegio Dacher. tom. IX. v. et tom. VI. Concil. Labb. in appendice.]

Capitula libri poenitentialis Theodori archiepiscopi. [Ibidem p. 155. seq.]

- I. DE initio creaturae.
- II. Praecepta legalia.
- III. Dogmata evangelica secundum Matthaeum.
- IV. Secundum Marcum.
- V. Secundum Lucam.
- VI. Secundum Johannem.
- VII. Qualiter apud orientales provincias Ger-

maniae atque Saxoniae pro diversis criminibus poenitentiae observatur modus.

VIII. De temperantia poenitentium.

IX. De diversis homicidiis.

X. Item de poenitentia.

XI. De poenitentibus ut a presbyteris non reconcilientur, nisi praecipiente episcopo; ex concilio Africano.

XII. Item

XII. Item ex concilio Carthaginenſi de eadem re.

XIII. Item de capitalibus criminibus.

XIV. Incipiunt capitula de vitiis.

XV. De inani gloria.

XVI. De invidia.

XVII. De ira.

XVIII. De triftitia ſeculi.

XIX. De avaritia.

XX. De ventris ingluvie.

XXI. De luxuria.

XXII. De fornicatione laicorum.

XXIII. De obſervatione conjugatorum.

XXIV. De fornicatione clericorum ſive ſanctimonialium.

XXV. De adulterio.

XXVI. De inceſtuoſis.

XXVII. De homicidiis.

XXVIII. De falſo teſtimonio et mendacio.

XXIX. De furto, et incendio, et ſepulchrorum violatoribus.

XXX. De perjurio.

XXXI. De rapina, et de uſura, et qui hoſpites non recipit, et mandata evangelica non implet.

XXXII. De ebrietate et vomitu.

XXXIII. De idololatria et ſacrilegio, et qui angelos colunt et maleficos, ariolos, veneficos, ſortilegos, divinos, et voci reddentes*, niſi ad eccleſiam Dei, et in calendas Januarias, in cervulo et in vetula vadit et mathematicos et emiſſores tempeſtatum.

XXXIV. De Sodomitis, et mollibus, et immundis pollutionibus.

XXXV. De maledictione et detractone.

XXXVI. De communione haereticorum.

XXXVII. De diſcretione ciborum mundis et immundis.

XXXVIII. De his qui eccleſiaſtica jejunia abſque neceſſitate diſſolvunt, et de his qui venationes exercent.

XXXIX. De otioſitate et verboſitate, et ſomnolentia.

XL. De inobedientia et blaſphemia.

XLI. De cogitationibus malis.

XLII. De verbo otioſo.

XLIII. De curioſitate.

XLIV. De baptiſmo reiterato et de opere die dominico, et qui die dominico jejunant.

XLV. De negligentia euchariftiae.

XLVI. De negligentia novi ac ſanctificati panis, ſive de aliis creaturis.

XLVII. De reconciliatione poenitentium.

XLVIII. De communione Judaeorum vel Gentilium.

XLIX. De preſbyteris qui morientibus poenitentiam denegant, et qui infirmos non baptizant.

L. Quod Graeci ſingulis Dominicis communicent.

LI. De commemoratione defunctorum, vel de miſſa pro eis. Et cur 3. 7. vel 30. anniverſarius dies celebretur.

LII. De ritu mulierum in eccleſia.

LIII. De eccleſia in qua mortuorum cadavera fidelium ſive infidelium ſepeliuntur.

LIV. De reliquiis ſanctorum vel ritu ſacerdotum et diaconorum laicorumque in eccleſia.

LV. Quod nulli ſit ultima poenitentia deneganda.

LVI. De his qui morientibus poenitentiam denegant.

LVII. De poenitentiarum diverſitate.

LVIII. De reconciliatione. Item de eadem re.

LIX. De clericis ſive eccleſiaſticis ordinibus.

LX. De diverſitate ordinum.

LXI. De electione ſacerdotalium ordinum.

LXII. Item de electione. Gregorius dicit.

LXIII. Item canones ſanctorum de electione episcoporum.

LXIV. Si episcopus a metropolitano admonitus pro ſynodo vel ordinatione episcopali venire diſtulerit; ex concilio Agatenſi.

LXV. De ordinatione archiepiscopi.

LXVI. De electione indignorum; canon ſanctorum.

LXVII. Item ex concilio Chalcedonenſi titulo ſecundo, quod non debeant officia eccleſiaſtica per pecunias ordinari.

LXVIII. Item de elapſis graduum.

LXIX. De accusationibus et excuſationibus.

LXX. Gregorius Johanni defenſori qualiter de episcopo Januario obſervandum ſit, ſive de aliis episcopis injuſte condemnatis.

LXXI. De juramenti episcoporum.

LXXII. De vexatione episcoporum.

LXXIII. De paſtore et praedicator.

LXXIV. Verba Ezechielis prophetae.

LXXV. Item de paſtore.

LXXVI. De episcopis et preſbyteris.

LXXVII. De quotidianis operibus episcoporum.

LXXVIII. Auguſtinus Aurelienſis episcopus dicit.

* Intelligit *ἱγλασεμύβας*. Sic voci mittentes et voci miſſarii; οἱ φανερόλοι. SALM.

Cantus et curſus Romanus juffu Agathonis papae in Britanniam advehuntur a Jobanne, archicantore eccleſiae S. Petri Romae. Ex Bed. Hiſt. Eccl. lib. IV. cap. xviii. [Ann. Dom. DCLXXX. Spelm. vol. I. p. 175. ſeq.]

INTERERAT huic ſynodo, pariterque catholicae fidei decreta firmabat vir venerabilis Johannes, archicantor eccleſiae ſancti Petri, et abbas monaſterii beati Martini, qui nuper venerat a Roma per juffionem papae Agathonis, duce reverendiſſimo abbate Biſcopo, cognomine Bene-

dicto, cujus ſupra meminimus. Cum autem idem Benedictus conſtruxiſſet monaſterium Britanniae, in honorem beatiffimi apoſtolorum principis juxta oſtium fluminis Wyri, venit Romam cum cooperatore ac ſocio ejusdem operis Ceolfrido, qui poſt ipſum ejusdem monaſterii abbas fuit

fuit, quod et ante saepius facere consueverat, atque honorifice a beatae memoriae papa Agathone susceptus est: petiitque et accepit ab eo in munimentum libertatis monasterii, quod fecerat epistolam privilegii ex auctoritate apostolica firmatam, juxta quod Ecgfridum regem voluisse ac licentiam dedisse noverat, quo concedente et possessionem terrae largiente, ipsum monasterium fecerat.

Accepit et praefatum Joannem abbatem Britanniam perducendum, quatenus in monasterio suo cursum canendi annum, sicut ad sanctum Petrum Romae agebatur, edoceret. Egitque abbas Joannes, ut jussionem acceperat pontificis, et ordinem, videlicet ritumque canendi ac legendi viva voce praefati monasterii cantores edocendo, et ea quae totius anni circulus in celebratione dierum festorum poscebat, etiam literis mandando: quae haecenus in eodem monasterio servata, et a multis jam sunt circumquaque transcripta. Non solum autem idem Joannes ipsius monasterii fratres docebat, verum de omnibus pene ejusdem provinciae monasteriis ad audiendum eum, qui cantandi erant periti confluebant. Sed et ipsum, per loca in

quibus doceret, multi invitare curabant.

Nota. Haec et huc BEDA. Quoniam vero in cantus et cursus ecclesiasticos jam incidimus, non a re futurum existimo, si ejusdem argumenti narrationem adjiciamus, quam exhibuit mihi aliquando codex MS. vetustissimus, caractere quidem non plane Saxonico, sed infueto magis, et Latinitate adeo rudi saepe et male cohaerenti, ut sub illo seculo exaratum putes, de quo rex celeberrimus [Praefat. Alur. ad Pastoral. Greg.] Aluredus, qui obiit ann. Chr. DCCCCI. haec lugens retulit: "Paucissimos fuisse citra Humbrum fluvium, qui liturgiam suam norunt Anglice, vel epistolam e Latino redderent in vernaculum. Pauciores proculdubio ultra Humbrum. Adeo equidem [inquit] paucos, ut ne vel unum memini ex australi Thamesis parte, cum in folio primum collocatus essem."

Narrationem habe suis omnino apicibus, nulla a me vel nota adhibita, vel emendationis industria, ne perspicaciorum forte acumini fucum obducerem, aliis abreptus.

Cantum et cursum ecclesiasticorum origo ex codice MS. vetustissimo. [Spelm. vol. I. p. 176. seqq.]

SI sedulo inspiciamus cursus autores, in exordium reperimus decantatum fuisse, non sicut aliqui imperiti fuisse, vel variae objectione pertulerunt, adhuc multi conantur fore.

Beatus Trofimius, episcopus Arelatensis, et sanctus Photinus martyr, et episcopus Lugdunensis; discipulus S. Petri apostoli, sicut et refert Josephus et Eusebius Caesariensis episcopus, cursum Romanum in Galliis * tradiderunt.

Inde postea relatione beati Photini martyris, cum quadraginta et octo martyribus, retrusi ergastulum, relatione ad beatum Clementem IV. loci successoris beati Petri apostoli deportaverunt, et beatum Irenaeum episcopum beatus Clemens ordinavit. Hoc in libro sancti ipsius Irenaei episcopi et martyris reperies. Edoctus a beato Polycarpo Smyrnaeorum episcopo et martyre, qui fuit discipulus Joannis apostoli, sicut refert historiographus Josephus et Irenaeus episcop. in suo libro.

Joannes evangelista primum cursum Gallo- rum decantavit: inde postea beatus Polycarpus discipulus sancti Joannis. Inde postea Irenaeus qui fuit episcopus Lugdunensis Galliae tertius ipse, ipsum cursum decantavit in Galliis.

Inde et modulationibus, series scripturarum Novi ac Veteris Testamenti, diversorum prudentium virorum paginis, non de propriis, sed de sacris scripturis receperunt antiphonias et responforia, seu sonos et alleluias composuerunt, et per universum orbem terrarum, ordo cursus est. Non sicut multi opinantur, ut Gallicanus quidam clericus Britto modulationi deditus quod ipsum edidisset, quod non facit quod beatus Hieronymus presbyter, Germanus et Lupus e-

piscopi, Pelagianam haeresim vel Gallianam, quae nomen ipsius titulatur, ex Britannis et Scotis provinciis expulerunt, unde alium cursum qui dicitur praesente tempore Scotorum, quae sa opinione jactatur.

Sed beatus Marcus evangelista, sicut refert Josephus et Eusebius in quarto libro, per totam Aegyptum vel Italiam taliter praedicaverunt sicut unam ecclesiam, ut omnis sanctus, vel Gloria in excelsis Deo, vel oratione dominica, et Amen universi tam viri quam foeminae decantarent. Tanta fuit sua praedicatio unita, et postea evangelium ex ore Petri apostoli edidit.

Beatus Hieronymus adfirmat, ipsum cursum qui dicitur praesente tempore Scotorum, beatus Marcus decantavit, et post ipsum Gregorius Nanzzenus, quem Hieronymus suum magistrum esse adfirmat. Et beatus Basilius frater ipsius sancti Gregorii, Antonius Paulus, Macarius, vel Joannes et Malchus secundum ordinem patrum decantaverunt.

Inde postea beatissimus Cassianus, qui Livorensi monasterio beatum Honorium habuit comparem. Et post ipsum beatus Honoratus primus abbas et S. Caesarius episcopus qui fuit in Arelata, et beatus Porcarius abbas qui in ipso monasterio fuit, ipsum cursum decantaverunt, qui beatum Lupum et beatum Germanum monachos: in eorum monasterio habuerunt. Et ipsi sub normam regulae ipsum cursum ibidem decantaverunt, et postea in episcopatus cathedra summi honoris pro reverentia sanctitatis eorum sunt adepti.

Et postea in Britannis vel Scotiis praedicaverunt, quae vita Germani episcopi Antifiodorensis, et vita beati Lupi adfirmat, qui beatum

* Quae hic a nonnullis mendis expurgata sunt, clar. Salmasii curis debentur.

Patricium spiritualiter literas sacras docuerunt atque enutrierunt, et ipsum episcopum pro eorum praedicatione archiepiscopum in Scotiis et Britannii posuerunt, qui vixit annos centum quinquaginta tres, et ipsum cursum ibidem decantavit.

Et post ipsum beatus Wandilochus senex, et beatus Gomogillus, qui habuerunt in eorum monasterio monachos circiter tria millia.

Inde beatus Wandilochus in praedicationis ministerium abbato. Gomogillo missus est; et beatus Columbanus partibus Galliarum destinati sunt Luxogilum monasterium, et ibidem ipsum cursum decantaverunt.

Et inde postea percreebuit formam sanctitatis eorum per universum orbem terrarum, et multa coenobia ex eorum doctrina tam virorum quam puellarum sunt congregata.

Et postea inde sumpsit exordium sub beato Columbano, quod ante beatus Marcus evangelista decantavit, et si nos non creditis, inquire

in vita beati Columbani et beati Eastasi abbatis, plenius invenietis, et dicta beati Attheleti abbatis Ebovensis.

Est alius cursus orientalis a sancto Cromachio et Eliodoro; et beato Paulino, seu et Athanasio episcopo editus, qui in Gallorum consuetudine non habetur, quae sanctus Macarius decantavit, hoc est, per duodenas, hoc est, unaquaque hora.

Est et alius cursus quem refert beatus Augustinus episcopus, quem beatus Ambrosius propter haereticorum ordinem dissimilem composuit, quem. in Italia antea decantabatur.

Est et alius cursus beati Benedicti, qui ipsum singulariter paucis discordante a cursu Romano quem in sua regula reperis scriptum: sed tamen beatus Gregorius, urbis Romae pontifex, quasi privilegium monachis ipsum sua auctoritate in vita S. Benedicti in libro Dialogorum adfirmavit, ubi dixit, "Non aliter sanctus vir docere, nisi sicut ipse beatus Benedictus vixit."

Conversio australium Saxonum a Wilfrido episcopo facta. Ex Bed. lib. IV. ca. xiii.

[Circa ann. Dom. DCLXXXI. vel DCLXXXII. Spelm. vol. I. p. 178. seq.]

PULSUS est autem ab episcopatu suo Wilfridus, et multa diu loca pervagatus Romam adiit, Britanniam rediit. Et si propter inimicitias memorati regis in patriam sive parochiam suam recipi non potuit, non tamen ab evangelizandi potuit ministerio cohiberi. Siquidem divertens ad provinciam australium Saxonum, quae post Cantuarios ad austrum et ad occidentem, usque ad occidentales Saxones pertingit, habens terram familiarum septem millium, et eo adhuc tempore paganis cultibus serviebat, huic verbum fidei et lavacrum salutis ministrabat. Erat autem rex gentis illius Edilwalch non multo ante baptizatus in provincia Merciorum, praesente ac suggerente rege Vulfhere. A quo etiam egressus de fonte loco filii susceptus est, in cuius signum adoptionis duas illi provincias donavit, Vectam videlicet insulam, et Meanuarorum provinciam in gente occidentalium Saxonum. Itaque episcopus, concedente, imo multum gaudente rege, primos provinciae duces ac milites sacrosancto fonte abluebat. Verum presbyteri Eappa, et Padda, et Bruchelin, et Oidda caeteram plebem vel tunc, vel tempore sequente baptizabant. Porro regina nomine Ebba in sua insula, id est, Vicciorum provincia fuerat baptizata. Erat autem filia Eanfridi fratris Eanheri, qui ambo cum suo populo Christiani fuere. Caeterum tota provincia australium Saxonum divini nominis et fidei erat ignara. Erat autem ibi monachus quidam de natione Scotorum, vocabulo Dicul, habens monasterium permodicum in loco qui vocatur Bosanham sylvis et mari circumdatum, et in eo fratres quinque sive sex in humili et paupere vita Domino famulantes. Sed provincialium nullus eorum vel vitam aemulari, vel praedicationem curabat audire. Evangelizans autem genti episcopus Wilfridus, non solum eam ab aerumna perpetuae damnationis, verum et a clade infanda temporalis interitus e-

ripuit. Siquidem tribus annis ante adventum ejus in provinciam nulla illis in locis pluvia ceciderat. Unde et fames acerbissima plebem invadens impia nece prostravit. Denique fertur, quia saepe quadraginta simul aut quinquaginta homines inedia macerati procederent ad praecipitium aliquod sive ripam maris, et junctis misere manibus pariter omnes aut ruina perituri, aut fluctibus absorbendi deciderent. Verum ipso die quo baptismi fidei gens suscepit illa, descendit pluvia serena et copiosa, refluavit terra, rediitque viridantibus arvis annus laetus et frugifer. Sicque abjecta prisca superstitione, exsufflata idololatria, cor omnium et caro omnium exultaverunt in Deum vivum, intelligentes eum, qui verus est Deus, et interioribus se bonis, et exterioribus caelesti gratia ditasse. Nam et antistes cum venisset in provinciam, tantamque ibi famis poenam videret, docuit eos piscando victum quaerere. Namque mare et flumina eorum piscibus abundabant. Sed piscandi peritia genti nulla nisi ad anguillas tantum inerat. Collectis ergo undecunque retibus anguillaribus homines antistitis miserunt in mare, et divina se juvante gratia mox cepere pisces diversi generis trecentos. Quibus trifariam divisus, centum pauperibus dederunt, centum his a quibus retia acceperunt, centum in suos usus habebant. Quo beneficio multum antistes cor omnium in suum divertit amorem, et libentius eo praedicante caelestia sperare coeperunt, cuius ministerio temporalia bona sumpserunt. Quo tempore rex Edilwalch donavit reverendissimo antistiti Wilfrido terram octoginta septem familiarum, ubi suos homines qui exules vagabantur, recipere posset, vocabulo Selescu, quod dicitur Latine insula vituli marini. Est autem locus ille undique mari circumdatus praeter ab occidente, unde habet ingressum amplitudinis quasi jactus fundae: qualis locus a Latinis peninsula, a Graecis solet Cherronesos vocari. Hunc ergo locum cum

cum accepisset episcopus Wilfridus, fundavit ibi monasterium, ac regulari vita instituit, maxime ex his quos secum adduxerat fratribus, quod usque hodie successores ejus tenere noscuntur. Nam ipse illis in partibus annos quinque, id est, usque ad mortem Ecgfridi regis, merito omnibus honorabilis, officium episcopatus et verbo exercebat et opere. Et quoniam illi rex

cum praefata loci possessione omnes quae ibidem erant facultates cum agris et hominibus donavit, omnes fide Christi institutos unda baptismatis abluit. Inter quos servos et ancillas ducentos quinquaginta, quos omnes non solum baptizando a servitute daemonica salvavit, sed etiam libertatem donando humanae jugo servitutis absolvit.

Conversio Vectensium (i. e. eorum qui Vectam insulam incolunt) Wilfrido episcopo praedicante. Ex Bed. H. E. lib. IV. cap. xvi. [Circa ann. Dom. DCLXXXVII. Spelm. vol. I. p. 180. seq.]

POSTQUAM ergo Ceadualla regno potitus est Gevissorum, cepit et insulam Vectam, quae eatenus erat tota idololatriae dedita, ac tragica caede omnes indigenas exterminare, ac suae provinciae homines pro his substituere contendit; voto se obligans, quamvis pondum regeneratus (ut fertur) in Christo: quia si cepisset insulam, quartam partem ejus, simul & praedae Domino daret. Quod ita solvit, ut hanc Wilfrido episcopo, qui tunc forte de gente sua superveniens aderat, utendam pro Domino offerret. Est autem mensura ejusdem insulae juxta aestimationem Anglorum mille ducentarum familiarum: unde data est episcopo possessio terrae trecentarum familiarum. At ipse partem quam accepit, commendavit cuidam de clericis suis, cui nomen Bernuvin, et erat filius sororis ejus, dans illi presbyterum nomine Hildila, qui omnibus qui salvari vellent, verbum ac lavacrum vitae ministraret. Ubi silentio praetereundum non esse reor, quod in primitias eorum, qui de eadem insula credendo salvati sunt, duo regii pueri, fratres videlicet Arvaldi regis insulae, speciali sunt Dei gratia coronati. Siquidem imminentibus insulae hostibus fuga lapsi sunt de insula, et in proximam Vitorum provinciam translati. Ubi cum delati ad locum qui vocatur "Ad lapidem," occultandos se a facie regis victoris credidissent, proditi sunt, atque occidi jussi. Quod cum audisset abbas quidam et presbyter vocabulo Cimberth, habens non longe abinde

monasterium in loco qui vocatur Reodford, id est, vadum arundinis, venit ad regem, qui tunc iisdem in partibus occultus curabatur a vulneribus, quae ei inflicta fuerant praelianti in insula Vecta, postulavitque ab eo, ut si necesse esset pueros interfici, prius eos liceret fidei christianaе sacramento imbui. Concessit rex, et ipse instructos eos verbo veritatis, ac fonte * salutari ablutos, de ingressu regni aeterni certos reddidit. Moxque illi instante carnifice mortem laeti subiere temporalem, per quam se ad vitam animae perpetuam non dubitabant esse transuros.

Hoc ergo ordine postquam omnes Britanniarum provinciae fidem Christi susceperant, suscepit et insula Vecta: in qua tamen ob aerumnas externae subjectionis, nemo gradum ministerii ac sedis episcopalis ante Daniele, qui nunc occidentalium Saxonum et Gevissorum est episcopus, accepit. Sita est autem haec insula contra medium australium Saxonum et Gevissorum; interposito pelago latitudinis trium millium, quod vocant "Solente:" in quo videlicet pelago bini aestus oceani, qui circum Britanniam ex infinito oceano septentrionali erumpunt, sibi invicem quotidie compugnantes occurrunt, ultra ostium fluminis Homelea, quod per terras Vitorum, quae ad regionem Gevissorum pertinent, praefatum pelagus intrat, finitoque conflictu, in oceanum refusi, unde venerant, redeunt.

* Salvatoris Beda.

Epistola Sergii papae ad Ceolfridum abbatem monasterii D. D. Petri et Pauli (quod est ad Wirimundam et Ingeruum) de Beda venerabili Romam transmittendo. Ex W. Malmesb. De gest. reg. lib. I. cap. iii. [Ibidem p. 181.]

SEGIUS episcopus, servus servorum Dei, Celfrido religioso abbati salutem. Quibus verbis ac modis clementiam Dei nostri, atque inenarrabilem providentiam possumus effari, et dignas gratiarum actiones pro immensis circa nos ejus beneficiis persolvere, qui in tenebris et umbra mortis positos ad lumen scientiae producit. Et infra; benedictionis interea gratiam quam nobis per praesentem portitorem tua misit devota religio, libenter et hilari animo, sicuti ab ea directa est nos suscepisse cognosce. Opportunis ergo ac dignis amplectendae tuae sollicitudinis petitionibus arctissima devotione faventes,

hortamur Deo dilectam tuae religiositatis bonitatem, ut, quia exortis quibusdam ecclesiasticarum causarum capitulis, non sine examinatione longius innotescendis opus nobis sunt ad conferendum arte literaturae imbuti, sicut decet Deo devotum auxiliatorem sanctae matris universalis ecclesiae, obedientem devotionem huic nostrae hortationi non desistas accommodare, sed absque aliqua remotione religiosum Dei famulum Bedam venerabilis monasterii tui presbyterum ad limina apostolorum principum dominorum meorum Petri et Pauli amatorum tuorum ac protectorum, ad nostrae mediocritatis

conspicuum

conspectum non moreris dirigere, quem favente Deo sanctis tuis precibus non diffidas prospere ad te redire, peracta praemissorum capitulorum cum auxilio Dei desiderata solennitate; erit

enim, ut confidimus, etiam cunctis tibi creditis profuturum, quicquid ecclesiae generali claruerit per ejus praestantiam impertitum.

Berctwald, alias Berhtwaldus et Brithwaldus fit Cantuariæ VIII. archiepiscopus.

Ex Antiquit. Britann. pag. 83. et Beda lib. V. H. E. cap. ix. [Ann. Dom. DCXCIII. Spelm. vol. I. p. 181. seq.]

MORTUO Theodoro, et vacante per biennium pene archiepiscopatu, sufficitur in locum ejus Berctwaldus, secundus ex Anglosaxonibus, qui hanc obtinuit eminentiam. Primus enim fuit Deusdedit Theodori praedecessor. Successit (inquit Beda) Theodoro in episcopatu Berehtwaldus, qui erat abbas in monasterio quodam juxta ostium aquilonare fluminis Genlade positum, quod Racuulf nuncupatur. Vir et ipse scientia scripturarum imbutus, et ecclesiasticis simul et monasterialibus disciplinis summe instructus, tametsi praedecessori suo minime comparandus: qui electus est quidem in episcopa-

tum anno dominicae Incarnationis sexcentesimo nonagesimo secundo, die primo mensis Julii, regnantibus in Cantia Wichtredo et Suebhardo. Ordinatus autem anno sequente, tertio die calendarum Juliarum Dominica, a Godwino metropolitano episcopo Galliarum: et sedit in sede sua pridie calendarum Septembrium Dominica: qui inter multos quos ordinavit antistites, etiam Gebmundo Rhofensis ecclesiae praefule defuncto, Tobiam pro illo consecravit, virum Latina, Graeca, et Saxonica lingua, atque eruditione multipliciter instructum.

Leges ecclesiasticae Inae regis occiduorum Saxonum, e civilibus suis aliis decerptae, juxta regii codicis et Iornalensis exemplaria. [Ann. Dom. DCXCII. Ibidem p. 186. seqq.]

EGO Ine Dei gratia Westfaxonum rex, exhortatione et doctrina Cenredes patris mei, et Heddes episcopi mei, et Erchenwoldes episcopi mei, et omnium aldermannorum meorum et seniorum, et sapientum regni mei, multaque congregatione fervorum Dei, sollicitus de salute animarum nostrarum, et statu regni mei, constitui rectum conjugium, et justa judicia pro stabilitate et confirmatione populi mei, benigna sedulitate celebrari: et nulli aldermanno, vel alicui de toto regimine nostro conscripta liceat abolere judicia.

De regula ministrorum Dei. CAP. I.

I. Inprimis praecipimus ut ministri Domini rectam disciplinae sanctae regulam juste custodiant.

Postea volumus ut totius populi conjugia sint et judicia devote conservata.

De infantibus. CAP. II.

II. Puer infra triginta noctes baptizetur: si non sit, trigintis solidis emendetur. Si moriatur sine baptismo, emendetur tota pecunia.

De opere in ^a die dominica. CAP. III.

III. Si servus operetur die dominica per praeceptum domini sui, sit liber: et dominus emendet triginta solidis ad vitam. Si servus sine testimonio domini sui operetur, corium perdat [id est, vapulet] si liber operetur ipsa die sine jussu domini sui, perdat libertatem suam.

De censu ecclesiae. CAP. IV.

IV. Caericsceatta [i. census ecclesiae] reddita sint in festo S. Martini. Si quis hoc non compleat, reus sit lx. sol. et duo decuplo reddat ipsum Caericsceattum.

De immunitate ecclesiae. CAP. VI.

V. Si quis sit mortis reus, et ad ecclesiam confugiat, vitam habeat, et emendet sicut ^b consulet. Si quis corium suum forisfaciat, et ad ecclesiam incurrat, sit ei verberatio condonata.

De pugna. CAP. VI.

VI. Si quis pugnet in domo regis, totius pecuniae suae reus sit, et sit in arbitrio regis utrum vitam habeat, vel non habeat. Si quis in ecclesia pugnet, centum viginti sol. emendet, etc. [et alias sexaginta emendet pro vita.]

De eis qui falsum testimonium ferunt (coram episcopo) Sax. CAP. XII. Iorn. CAP. XIV.

VII. Si coram episcopo testimonium suum et vadium mentiatur, centum viginti solid. emendet. Sic codex reg. Iornalens. triginta sol.

De alienigena occiso (re ad abbatem vel abbatissam spectante) Sax. xxii. Iorn. xxv.

VIII. Si homo alienigena occidatur, habeat rex duas partes werae suae, tertiam partem habeant filii vel parentes sui. Si parentes non habeat, dimidiam habeat rex, dimidiam consocii^c. Si autem abbas vel abbatissa intersit, dividant eodem modo cum rege.

^a Juxta Saxon. in die Solis.

^b Al. codex MS. sicut rectum consuluerit.

^c Iornal. consocii regis.

De pace in burgo seu oppido violata. Sax. CAP. XLVI. Jorn. XLIX.

IX. Burgi fractura debet emendari centum viginti solidis. Regis et episcopi ubi ^d sedes ejus est. Aldermanni [i. comitis] lxxx sol. Taini regis [i. baronis] lx. solid. etc.

De cyresceattis (sive censu ecclesiae) ubi danda. Sax. CAP. LXII. Jorn. LXVI.

X. Cyresceattum debet homo reddere a culmine et mansione ubi residens erit in natali.

De caede susceptoris vel suscepti ad sacrum fontem. CA. Sax. et Jorn. ultimo.

XI. Si quis alterius filiolum occidat vel patrinum, sit simile cognationi, et crescat emendatio secundum ^e Weram. sicut Manbota facit erga dominum. Si sit filiulus regis, emendet secundum Weram ejus regi sicut cognationi. Si de parentela ipsius sit qui occidit eum, tunc excedet emendatio patrini sicut Manbota domini. Si episcopi filius sit, sit dimidium hoc.

^d Al. MS. ubi suum riche est, i. sedes cathedralis vel dioecesis.

^e Jornal. Weram ejus regi, etc.

Concilium magnum Becanceldae anno Christi DCXCII. celebratum, praesidente Withredo rege Cantii, necnon Bertuvaldo, archiep. Britanniae, cum Tobia, episcopo Roffensi, abbatibus, abbatissis, presbyteris, diaconibus, ducibus, satrapis, etc. in quo ecclesiae liberae fiunt ab omni tributo et exactione seculari, earumque res a laicorum jure et injuria eximuntur. [Ex Spelm. vol. I. p. 189. seqq.]

IN nomine Domini Dei nostri et salvatoris Jesu Christi, congregatum est magnum concilium in loco qui nominatur Becancelde. Praesidente autem eodem concilio Withredo, clementissimo rege Cantuariorum, necnon Bertuvaldo, reverendissimo archiepiscopo Britanniae, simulque Tobia, episcopo Roffensis ecclesiae, caeterisque abbatibus, abbatissis, presbyteris, diaconibus, ducibus, satrapis in unum glomeratis: pariter tractantes, anxie examinantes de statu ecclesiarum Dei vel monasteriorum intra Cantiam, quae a fidelibus regibus praedecessoribus meis et propinquis Deo omnipotenti in propriam haereditatem condonata fuerunt, quomodo vel qualiter secundum normam aequitatis stare, quidve servare amodo et usque finem seculi, constituimus.

Ideo ego Withredus rex terrenus a Rege regum compunctus, zelo rectitudinis accensus, ex antiqua traditione sanctorum patrum, et mandatis didici non esse licitum alicui ex laico habitu sibiipso usurpare, vel ad se trahere (quasi suam propriam possessionem) quod antea fuerat Domino concessum, et cruce Christi firmatum atque dedicatum: quia scimus et veraciter constat, ut si quid semel acceperit homo de manu alterius in propriam potestatem, nullatenus sine ira et ultione illud dimiserit impunitus.

Ideo horrendum est hominibus expoliare Deum vivum, et scindere tunicam ejus et haereditatem ejus, quodque ab aliquo concessum ei fuerit de terrenis substantiis, ad id, ut eo facilius promereri valeant aeternam retributionem percipere in caelis: quia manifeste declaratur quanto incautius applicaverit se homo secularis in haereditatem Regis aeterni quam ad ejus imperium trahere desiderat; tanto districtius ab eodem Deo in igne inextinguibili puniatur.

Pro hac re firmiter statuimus atque decrevimus, et in nomine omnipotentis Dei, omniumque sanctorum praecipimus omnibus successoribus nostris, regibus, principibus, vel omnibus

qui in habitu laico constituti sunt, ut nullus unquam habeat licentiam accipere alicujus ecclesiae vel monasterii dominium, quae a meipso vel antecessoribus meis priscis temporibus tradita erant in perpetuam haereditatem, Jesu Christo et sanctis apostolis, etiamque Mariae virgini matri Domini nostri sacrata. Sed magis, sicut decet, et in canonibus praecipitur, servandum est: quando quis evenerit ex numero dominorum obire de seculo abbas vel abbatissa: propterea * mmuatatur propriae parochiae episcopus, et cum ejus consilio vel consensu: quisquis dignus inveniat et ejus vita atque munditia ab episcopo examinatur: talis eligatur et ab episcopo benedicatur (et) sanctificetur dominus spirituali gradui, Dei servitio et tonsurae, seu sacro velamini mancipatus: et nullo modo sine consultu et licentia archiepiscopi in dioecesi sua abbas vel abbatissa eligatur.

Si quis per insipientiam aliter faciet, pro nihilo habeatur, citiusque abjiciatur, neque de hac re aliquid pertineat ad regis secularis imperium: quia illius personae est, principes, praefectos, seu duces seculares statuere: metropolitani episcopi est ecclesias Dei regere, gubernare, atque abbates, abbatissas, presbyteros, diaconos eligere, statuere, et sanctificare, firmare, et amovere, ne quis ovis de ovibus aeterni pastoris erret,

Hoc praeceptum statuimus his monasteriis quorum nomina haec sunt annotata. Primum primi apostolorum principis Petri, id est, Upmynster, Raculf, Sudmynster, Dofras, Folcanstan, Lymming, Stepeis, et Hor. Haec omnia interdicimus, sicut ante diximus, ut nullus habitus ex numero laicorum ad se pertrahat vel suscipiat nullum monasterium de his praenominatis.

Haec lex supradicta per eum completa, permaneat: adhuc addimus majorem libertatem.

Inprimis Christi ecclesia cum omnibus agris ad eam pertinentibus, similiter Roffensis ecclesia

* Lege invitatur; nisi malis, ut in altero exemplari, intimatur propriae parochiae episcopo. LAET.

cum suis, caeterisque praedictis omnibus ecclesiis, Dei juri subjiciantur pro salute animae meae, meorumque praedecessorum, et pro spe caelestis regni ex hac die, et deinceps concedimus et donamus ab omnibus difficultatibus secularis servitutis, a pastu regis, principum, comitum, necnon ab operibus, majoribus minoribusque gravitatibus: et ab omni debito vel pulsione * regalium censuum liberas esse perpetua libertate statuimus: nisi sua spontanea voluntate, ex largitate beneficiorum quid facere velint: tamen hoc in posterum non fervetur nec habeatur in malam consuetudinem: sed magis securi possint pro nobis Deo omnipotenti hostias dignas offerre, et immaculatis muneribus nostra ablueri peccata, ut per eorum intercessionem mereamur audire felicem sententiam, "Venite benedicti Patris mei, percipite regnum quod vobis paratum est ab origine mundi."

Si quis autem rex unquam post nos elevatus in regnum, aut episcopus, aut abbas, vel comes, vel ulla potestas hominum contradicat huic chartulae, aut infringere tentaverit: sciatur se sequestratum a corpore et sanguine Domini nostri Jesu Christi, seu etiam sic excommunicatum, sicut qui non habet remissionem neque in hoc seculo, neque in futuro, nisi ante pleniter emendaverit iudicio episcopi; manente tum hac chartula, irrefragabili sua firmitate muniatur, fervetur, et habeatur semper ad ecclesiam Salvatoris, quae sita est in civitate Do-

robernia, ubi metropolitanum caput habetur, ad exemplum atque defensionem omnibus ecclesiis Dei quae in hac Cantia morantur.

Haec lex inviolabilis usque ad consummationem seculi permaneat, quia nulli homini terreno data sunt: sed haec omnia in manus Dei omnipotentis sanctisque ejus concedimus et donamus.

✠ Ego Withredus auxilio Christi his legibus constitutis pro me et Werburga regina: itemque pro filio nostro Alirico subscripsi.

✠ Ego Berthwald, gratia Dei archiepiscopus his legibus a nobis constitutis subscripsi.

✠ Signum manus Ethelbarti pro se et fratre suo Eadberto.

✠ Signum manus Tobiae episcopi.

✠ Signum manus Mildredae abbatissae.

✠ Signum manus Etheldridae abbatissae.

✠ Signum manus Aete abbatissae.

✠ Signum manus Wilnodae abbatissae.

✠ Signum manus Herelwidae abbatissae.

✠ Signum manus Redempti presbyteri.

✠ Signum manus Eastwaldi presbyteri.

✠ Signum manus Eatfridi presbyteri.

✠ Signum manus Botredi episcopi.

✠ Signum manus Byssan presbyteri.

✠ Signum manus Kynheri presbyteri.

✠ Signum manus Aldulfi presbyteri.

✠ Signum manus Walh presbyteri.

✠ Signum manus Bonnae presbyteri.

* Ex emendatione Walkeri ita lego. Spelmannus male *regum censuris liberos*. Ita et in MS. Cantuar. hujus concilii habetur "ab omni debito vel pulsione regalium tributorum."

Chartula Wyhtredi regis Cantiae, et Kynigythae uxoris suae, Eabbae abbatissae de terra quatuor aratorum in insula Teneti. [Ann. Dom. DCXCV. Ex Spelm. vol. I. p. 192. seq.]

IN nomine Domini Dei salvatoris ego Wyhtredus rex Cantiae una cum conjugē mea Kynigytha regina, referens gratias largitori bonorum Domino, qui dilatavit terminos nostros juxta paternam antiquitatem, in commune pertractavimus aliquam partem terrae nobis collatae ad vicem rependere ne ingrati beneficiis videremur largitoris nostri. Qua de re a praesente die et tempore tibi religiosae Eabbae abbatissae Deoque dicatae foeminae terram juris nostri quae sita est in insula Teneti, quae quondam appellata est Humantium, aratorum quatuor contulimus in perpetuum possidendam, ut cum omnibus ad eandem pertinentibus pratis, campis, fontanis, sylvis, piscariis, fluminibus, marisc. et quicquid ad supradictam terram pertinet, a quatuor partibus orientis, occidentis, aquilonis, et meridiei, tuo usui ditionique subjicias, teneas, possideas, dones, commutes, vendas, vel

quicquid exinde facere volueris, liberam habeas potestatem, successoresque tui defendant in perpetuum, nunquam me haeredesque meos contra hanc chartulam descriptionis nostrae aliquando esse venturos. Ad cujus cumulum affirmationis cespitem hujus supradictae terrae super sanctum altare posui, et propria manu pro ignorantia literarum signum sanctae crucis in hac chartula expressi, sed et Kynigytha id ipsum fecit, principesque meos, ut pari modo propriis manibus facerent rogavi, quorum nomina subtus annexa sunt. Si qui (quod absit) contra hanc chartulam a me factam vel haered. meis contraire praesumpserint, noverint a participatione corporis Domini segregandos hic, et in aeternum. Quam saepe dictam chartulam scribendam dictavi, et tibi Eabbae abbatissae tradidi conservandam. Actum 16. calend. Augusti indictione VII. anno regni nostro tertio, etc.

Plurima

Plurima pars Scotorum in Hibernia, nonnulla etiam Britannorum canonicam Paschatis observantiam Alfridi regis aetate suscipiunt. Ex Beda Hist. Eccl. lib. V. cap. xvi. [Ann. Dom. dxcvii. Spelm. vol. I. p. 193.]

Quo tempore plurima pars Scotorum in Hibernia, et nonnulla etiam de Britonibus in Britannia rationabile et ecclesiasticum paschalis observantiae tempus, Domino donante suscepit. Siquidem Adamnanus, presbyter et abbas monachorum qui erant in insula Hu, cum legationis gratia missus a sua gente venisset ad Alfridum regem Anglorum, et aliquamdiu in ea provinciae moratus videret ritus ecclesiae canonicos, et a pluribus qui erant eruditiores, esset solerter admonitus, ne contra universalem ecclesiae morem, vel in observantia paschali, vel in aliis quibusque decretis cum suis paucissimis et in extremo mundi angulo positis vivere praesumeret, mutatus mente est: ita ut ea quae viderat et audierat in ecclesiis Anglorum, suae suorumque consuetudini libentissime praeferret. Erat enim vir bonus, et sapiens, et scientia scripturarum nobilissimae instructus. Qui cum domum rediisset, curavit suos qui erant in Hu, quive eidem erant subditi monasterio ad eum,

quem cognoverat, quemque ipse ex toto corde susceperat, veritatis callem perducere, nec valuit. Navigavit itaque Hiberniam, et praedicans eis, ac modesta exhortatione delarans legitimum Paschae tempus, plurimos eorum et pene omnes, qui ab Hibernensium erant dominio liberi, ab errore avito correctos, ad unitatem reduxit catholicam, ac legitimum Paschae tempus observare perdocuit. Qui cum celebrato in Hibernia canonico Pascha ad suam insulam revertisset, suoque monasterio catholicam temporis paschalis observantiam instantissime praedicaret, nec tamen perficere quod conabatur posset, contigit eum ante expletum anni circulum migrasse de seculo, divina utique gratia disponente, ut vir unitatis et pacis studiosissimus ante ad vitam raperetur aeternam, quam redeunte tempore paschali graviolem cum eis, qui eum ad veritatem sequi volebant, cogeretur habere discordiam.

Synodus sub Ina R. occidental. Saxonum habita loco incerto, in qua episcopatus occidentalium Saxonum in duas dividitur parochias. Ibidem cap. xix. [Ann. Dom. dccvii. Ibidem p. 208.]

Quibus (Daniele et Aldhelmo) episcopatum administrantibus: statutum est synodali decreto, ut provincia australium Saxonum, quae eatenus ad civitatis Ventanae (cui tunc Daniel praeerat) parochiam pertinebat, et ipsa sedem episcopalem et proprium haberet episcopum. Consecratusque est eis primus Antistes Eadbertus [an. Christi dcccxi.] qui erat abbas in monasterio beatae memoriae Wilfridi episcopi quod dicitur Selescu. Quo defuncto Ceolla suscepit officium pontificatus. Ipso autem ante aliquot annos ex hac luce subtracto, episcopatus usque hodie cessavit.

Nota. Non convenit de tempore hujus synodi. Rex Ina, inquit Huntingtonius [Hist. lib. IV.] vicesimo anno regni sui (id est, juxta factos Domini nostri dccvii.) divisit episcopatum

Westfaxoniae in duo, qui unus esse solebat. Partem orientalem a sylvis tenuit Daniel, occidentalem Aldelmus. Haberi igitur jam tum oportet istam synodum: nam Aldelmum obiisse ait Ranulfus Cistrensis anno gratiae dcccviii. Godwinus et alii dcccix. verius proculdubio quam Florilegus qui ait: anno gratiae dcccxi. provincia australium Saxonum synodali decreto statutum est ut qui eatenus ad civitatis Ventanae (cui tunc Daniel praeerat) parochiam pertinebant, et ipse sedem episcopalem ac proprium haberet episcopum. Meminerunt et istius synodi Magdeburgenses [Cent. vii. cap. ix.] sub Britannicae titulo: habitamque ferunt (Bedam dubium secuti) circa annum Domini septingentesimum quintum: quod non male convenit Huntingtonio [lib. V. cap. xix.] synodumque igitur collocamus in anno Domini dccvii.

Prolegomena ad visionem Egwini, et concilium de imaginibus adorandis [Ibidem.]

Jam ad tempus pervenimus, quo primum in ecclesias Anglosaxonum advectas ferunt sanctorum imagines, ibidemque positae adorandas. Beatam liquidem Mariam virginem Egwino Wicciorum (hoc est, Wigornensium) episcopo lucidius apparuisse aiunt, et imaginem suam in ecclesia quam curabat episcopus collocandam mandavisse ut a populo coleretur. Visionem praesul desert ad Constantinum episcopum Romanum, factaque juramento fide, pontifex Bonifacium legat in Britanniam, praece-

pitque ut Londini cum assensu Brithwaldi archiepiscopi Cantuariarum, concilium celebret generale. Huic sub anathematis interminatione adsunt reges et episcopi: decretumque est in sententiam papae, imagines in ecclesiis collocandas, missarumque celebratione et adoratione honorandas, etc. Haec e Naclero et Balaeo sine veteris alicujus testimonio asserunt Magdeburgenses cent. i. cap. xci, xciv, xcix. redarguunt igitur, et inter recentiorum commenta projiciunt Baronius atque Binius. Ego nulla

nulla hic praelibata assertione te lectorem de-
fco judicem: visis quae sequuntur Kenredi et
Offae regum, Egwinique episcopi Wicciorum

chartis, ipsius etiam Constantini papae episto-
la, suo ordine ad rem quam agimus conducen-
tibus.

*Charta Kenredi et Offae regum de terris, in quibus B. Maria virgo Egwino episcopo
apparuisse dicitur, cum aliis plurimis coenobio Eveshamiae collatis in ecclesia
Lateranensi, Constantino papa omnia confirmante. [Ann. Dom. DCCIX. Ex
Spelm. vol. I. p. 209. seqq.]*

✠ **I**N nomine Patris, et Filii, et Spiritus San-
cti, Amen. Quoniam transeuntis qui-
dem mundi vicissitudo quotidie per incrementa
temporum crescendo decrescit, et ampliando
minuitur, crescentibusque repentinis incursum
ruinis, finis esse cunctis in proximo cernitur.
Ideo vanis ac transibilibus mansura caelestis pa-
triae praemia mercanda sunt.

Quapropter ego Kenredus, Dei dono rex Mer-
ciorum, et ego Offa, divina permissione orien-
talium Anglorum gubernator, pro redemptione
animarum nostrarum, ac praedecessorum et sub-
sequentium nostrorum salute, donamus, con-
cedimus in loco in quo beata Maria se venera-
bili viro Egwino episcopo manifestavit in Hom-
me, et praesenti libello confirmamus, ad hono-
rem et reverentiam ejusdem Dei genetricis sexa-
ginta sex mansas ex duabus partibus fluminis
quod vocitatur Avena: tres viz. quae sunt in
Homme, in Leuhcuic, I. in Nortona, VII. in
Offeham, I. in Litlintona, XIII. in Adintona,
I. in Baddefeia, VI. et dimidiam in Bretforto-
na, XII. in Hombure, II. et dimidiam in Wil-
lereseia, VII. in Wikewane, III. in Benigrith,
et in Hampton IX. Et ex mera liberalitate,
sicut dignum est et regali munificentia, praeno-
minatas mansas ubi manifestatio habita fuisse
refertur, cum caeteris partibus praeassignatis,
regiae libertati donamus, ac omnipotenti Deo,
et beatis apostolis ejus Petro et Paulo, in per-
petuum liberas donamus, quatenus ibidem con-
gregatio monachorum, secundum regulam fan-
cti Benedicti, possit instaurari et indefinenter
Christo famulari.

Ad majorem autem firmitudinem donationis
nostrae, in notitiam tam praesentium, quam
inposterum succedentium, venire volumus; qui-
bus limitibus sacer locus, quem regiae libertati
donatum Deo contulimus circumseptus includi-
tur. Imprimis a Twyforde ex parte australi
usque in Cronchomme juxta decursum fluminis
ambitus loci protrahitur, ac inde juxta aquam,
usque ad divisionem terrae de Fledenburgh quae
Merdic appellatur, et sic in directum per ascen-
sum montis, per medium Caldegaran ad Eal-
dandwinhagan, ab Ealdandwinhagan ad Beola-
gasete, a Beolagasete in Nordcuol, ex quo per
Leuchdune usque ad divisiones terrarum de
Leuch, et de Hervertona in Wennemecumbe,
inde per Fulanbroc usque in Harneville, ab
Harneville in Carkeforde, ac inde in Calke-
wille, et sic in longum rivuli usque in Smale-
morsihee, ac inde in Avenam, et sic in Offepol,
ab Offepol in Pickereshomme, a Pickereshomme
in Burchlince, a Lincheon in Oldendune, ab
Oldendune in Ealdemixan, ex quo in Buggilde-

strete, a Buggildestrete in Semaflond, ac inde
in Chirchluge, in Flirendegaren, et sic in Bla-
kenpyte, a parte orientali non longe a Blaken-
pyte in Merchirnan, a Merchirnan in Hunibur-
nan, ex quo per Northamnere in Easthammor,
inde in circuitu prati de Poddeho, dehinc in
Poddehommere, et sic Herianchale, iterum in
Humburnan, in longum rivuli usque ad Stam-
thanford, iterum in Buggildestrete versus Sce-
nendune, ac inde in Meadebroc, a Meadebroc
in Merdich, et sic in Winburnan, a Winburna
in Leallesthorn, a Leallesthorn in Laverkebe-
orh, a Laverkebeorh in Poddeshomme, a Podde-
shomme in Polthorn, a Polthorn in Merebroc,
et sic in Stamthanhillefiche, a Siche in Burgh-
willon, a Burghwillone in Burhwalles, ac inde
in Ealgedare, quod indigenae Navesmanneslond
vocant, secus Buggildestrete, ex quo a parte oc-
cidentalibus usque ad Beorges; a Beorges in Pi-
chestan, a Pichestan in Cademynster, a Cade-
mynster in Blechemere, a Blechemere in Brace-
destan, a Bracedestan in Ealdegaran, in Wille-
riseie, a Willeriseie in Sandbroc, ex quo in
Hegweye, et sic in Northomme, a Northomme
in Brerthirnan. Dehinc in Hecauhege, a He-
cauhege in Badeswillon, a Wille in Litlethyr-
nan, a Thyrnan per Piccedesho in Prestmeade;
ac inde in Merethorn, a Merethorn in Brade-
mere, a Brademere in Estmereflewe, inde in
Pottycote, a Pottycote in Thrittiacre, et sic in
Riggewere, a Riggewere in Meredic, per Me-
redic in Wadberge, a Berge in Lihtmeade. I-
terum per Meredic in Efanburnan, ab Efan-
burnan iterum in Meredic. Deinde in Wreth-
meade, et sic in Merebroc, per Merebroc us-
que ad Dominpol, ex quo in Allesbeorg, ab
Allesbeorg in Merwillon, a Merwillone iterum
in Avenam.

Volumus insuper ac decernimus in nomine
Domini, terram quinque cassatorum quae Mor-
ton nuncupatur, eadem libertate inperpetuum
gaudere: quam quidem terram ego Kenredus
rex Merciorum, anno dominicae Incarnationis
DCCIX. cum jam una cum venerabili viro Eg-
wino apostolorum limina visitare disponerem,
inter quaedam alia donaria, ad fabricam mo-
nasterii construendi in Homme, concessi eidem,
et sub testimonio plurium potentum meorum
scripto confirmavi.

Statuimus igitur in nomine Domini, et in
virtute Dei summi praecipimus tam viventibus,
quam Domini praedestinatione nobis inpos-
terum succedentibus, ut hujus donationis statuta
ad irritum deducere minime quispiam audeat.
Si quis autem hoc nostrae munificentiae donum
depravare vel minuere attentaverit, deleatur no-
men

men ejus de libro vitae. Acta sunt haec anno dominicae Incarnationis DCCIX. in ecclesia Salvatoris Lateranensi, confirmante pontifice Romanae sedis Constantino, astantibus regibus Angliae Kenredo et Offa, rogante venerabili viro Egwino episcopo, cum pluribus archiepiscopis, et episcopis, principibus, ac nobilibus diversarum provinciarum, cunctis clamantibus et dicentibus. Nos hanc voluntatem et regiam liberalitatem laudamus, donationibus ac libertati consentimus.

Ego Constantinus, Romanae sedis episcopus, per hoc signum ✚ sanctae crucis has donationes et libertatem confirmavi.

✚ Ego Egwinus humilis episc. confirmavi.

✚ Ego rex Kenredus corroboravi.

✚ Ego rex Offa consensi.

Nota. Suspectam merito hanc chartam reddat, quod Offa rex orientalium Anglorum gubernatorem se denunciat, cum certissime sit compertum, eum non orientalium Anglorum, sed orientalium Saxonum fuisse regem. Nec

scriptoris vitio obrepisse videatur error iste, sed a pluribus approbatus et propagatus: adeo ut ipse Malmesburius Gest. pont. lib. IV. de Kenredo et Offa Romam proficiscentibus agens; hunc orientalium Anglorum regem, illum Merciorum nuncupat. Contra tamen auctor antiquior Wigornensis, et inferiores alii Ranulfus Cestrensis et Florilegus, ipsaque veritas, eum orientalium Saxonum regem, non Anglorum ponunt. In serie igitur regum orientalium Saxonum perspicue cernitur, apud Anglos vero orientales nemo unquam rex ejusdem deprehenditur appellationis ante ann. Domini DCCXCIII. quo Offa alius Merciorum rex Ethelbertum regem orientalium, simulata exceptum amicitia, contra hospitalitatis fidem et Hymenaeos ritus perfide interfecit, et regnum ejus usurpavit: hinc enatum suspicor errorem istum quem e charta tollere non est nostri.

Nulla autem hic in beatae virginis apparitione de imaginibus mentio. Vide quae notabimus ad sequentem chartam.

Charta Egwini episcopi Wicciorum, sive Wigornensium, in qua meminit de suis visionibus, et de fundatione dotationeque monasterii sui Eveshamiae in agro Wigornensi. [Spelm. vol. I. p. 211. seqq.]

EGO Ecguinus Wicciorum humilis episcopus, volo manifestare omnibus fidelibus Christi, qualiter per Sancti Spiritus inspirationem, et per labores multarum et magnarum visionum, ostensum est mihi, quod ego primum unum locum aedificare deberem, ad laudem et gloriam omnipotentis Dei, et sanctae Mariae, omniumque electorum Christi, et etiam mihi ad aeternam retributionem. Cum igitur maxime florerem in diebus Ethelredi regis, expetii ab eo locum qui Ethomme nuncupatur, in quo loco sancta et perpetua virgo Maria, primum cuidam pastori gregum Eoves nuncupato, dehinc etiam mihi cum duabus virginibus, librum in manibus tenens apparuit. Mundavi itaque locum, opusque inceptum, Dei opitulante gratia, ad finem perduxim.

Volo igitur ostendere omni sequenti generationi quas possessiones supradicto loco adquisivi, et ipsas terras ab omni exactione potestatum omnium adquietavi, ipsamque adquietationem applicitis auctoritatibus, et privilegiis, necnon et regalibus edictis confirmari feci, et fratres secundum regulam S. Benedicti inibi Deo fervientes, sine perturbatione vitam agerent. Nomina etiam villarum volo manifestare, quas omnes liberas et juste adquisitas, Deo et sanctae Mariae obtuli. Itaque ab Ethelredo rege quoddam coenobium quod Flendaburch nominatur obtinui, quod postea pro alio coenobio quod Streatforda nominatur mutavi: post parvum vero tempus, a praedicti regis fratre Oswardo viginti mansas in loco qui Tuisforda appellatur adquisivi. Postea vero succedente in regnum Kenredo concessit et ipse mihi octaginta quatuor mansas super utrasque partes illius fluminis quod Avena vocatur. Quidam autem adolescens Athericus nomine octo mansas mihi concessit, et Walterus

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venerandus sacerdos alias octo mihi mansas donavit. Sicque Deo propitio brevi tempore CXX. mansas praedictae Christi ecclesiae adquisivi, sicut scriptum est et confirmatum in chartis ecclesiae, et in libro manifestatur terra et termini ejus, quem scripsit Brihtwaldus archiepiscopus, et dictavit praecepto Romani pontificis, cum consensu principum totius Angliae. Haec vero sunt nomina villarum quas ut supradictum est adquisivi. Lovesham, Beniucgurthe, Hautun, Beddeseye, Wicque, Humburne, Brotfortun, Willersey, Witheleia, Samburne, Kiueuarton, Saltforde, major et minor, Ambresloy, Ulbeorge, Mortun, Buchtun, Meleigaresbyri, Titlestrop, Suella major, Mayeldesbordi, Sildeuicoque: has omnes terras, ut praefatus sum, liberas ab omni calumnia adquisivi, et sanctae Dei ecclesiae obtuli.

Qui ergo locum, quem apostolica dignitas et regia potestas, regiae libertati donavit, et nos auctoritate Dei, et sanctorum apostolorum donamus, qui depravare aut minuire vel contaminare praesumpserit, judicetur ante tribunal Christi, et nunquam in Christi veniat memoriam, nisi n hac vita poenitens emendet; qui vero servaverit et adauxerit, benedictionibus repleatur. Fiat. Amen. Scripta est haec charta anno dominicae Incarnationis DCCXIV. ✚ Ego Ecguinus per signum sanctae crucis confirmavi. ✚ Ego Kenredus rex subscripsi. ✚ Ego Offa per signum crucis confirmavi. ✚ Ego Brihtwaldus archiepiscopus subscripsi. Ego ✚ Oswardus frater regis confirmavi.

Nota. Nullam hic Egwinus mentionem facit de introducendis imaginibus, vel de adorandis. Videtur tamen haec charta liber esse quem Balaeus refert eum scripsisse de suis apparitionibus:

bus: nam et earum in eadem meminit, et iisdem quae ille ponit verbis, exorditur charta: "Ego Egwinus Wicciorum humilis episcopus," etc. Libros etiam et libellos appellabant Saxones, quos Normanni et nos hodie chartas, ut in ipsa hac de qua agimus perspicue videas, ubi dicitur: in libro manifestatur terra et termini ejus quem scripsit Brihtwaldus et dictavit praecepto Romani pontificis. Quod de praecedenti charta intelligendum censeo, ubi Kenredus et Offa reges praesenti, inquit, libello confirmamus, etc. terras et mansas, latis illic descriptas terminis. Solet etiam Balaesus inter veterum quae refert opera, hujusmodi saepe epistolas pro libris numerare. Non inficior tamen quin alicubi lateat ejusdem farinae alius Egwini liber. Sed quoniam id jam quaeritur quod a beata virgine in apparitione sua Egwino dictum sit vel factum, pro imaginum cultu, et nihil in his chartis de eodem reperitur, nec in epistola Constantini papae: quam mox daturi sumus istius argumenti, videamus quid Capgravius Augustinianus frater, qui floruit cc. abhinc annos, et Egwini vitam studiosius rimabatur, de ista prodidit apparitione [in vita S. Egwini episc. et confess.] "Surgente," inquit, "illo Egwino, "ab oratione tres virgines non minoris splendoris et gloriae, quam prius apparuere" (pastori gregis, Eovo) "quarum quae media erat, praecelsior, et omni nitore splendidior praefulgebat, liliis candidior, rosas vernatior, odore inaeestimabili fragrantior, librum quoque manibus praeferebat, et crucem auream luce radiantem. Cumque cogitaret hanc Domini genitricem esse, virgo praecellentissima quasi favens tam pia aestimationi, adorantem praetensa, quam tenebat cruce, benedixit, et cum tali valefactione, disparuit." Nihil hic de introducendis imaginibus, nec apud antiquiorem sane Malmesburium [Gest. Pont. lib. IV.] qui de fundatione monasterii Eveshamiae memorans, quaedam ab aliis no dicta refert. "Eo," inquit, "loci, vir sanctissimus, Egwinus, dum solitudine invitante frequentaret excubias, Dei genetricis visione et allocutione mulceri meruit, plane et absque scrupulo praecipientis, ut ibidem sibi fundaret coenobium futurum sibi gratiosum, illi negotiosum. Institit ille jussis, et complens opus, a-

postolicis et regiis privilegiis corroboravit." Et hic nihil quidem beata virgo de imagine sua aut proponenda aut adoranda, cum tamen coenobii istius ecclesia ea fuisse videtur, qua Egwinus ejus exequeretur praeceptionem. Scripsit praeterea Egwini vitam circa dcccc. abhinc annos Brithwaldus Glasconiensis monachus, cujus ego non vidi librum, sed in quodam illius paragrapho ad hoc spectante argumentum, a Godwino tradito, et hic inferius recitando, nihil utique de imaginibus perhibetur, ut suo loco ibidem videris.

Erratum vero censeo in charta istius datione. Scripta enim perhibetur anno Incarnationis dccciv. cum nec Egwinus ipse qui eam condidit, nec qui inter testes nominantur Brithwaldus archiepiscopus, aut Oswardus frater regis, Romae fuisse cognoscuntur, sed in Anglia: Kenredus e contrario, et Offa reges, non in Anglia, sed in Roma, nec hos igitur convenire potuisse ad subscribendum. Respondeatur (fateor) Kenredum, Offam, cum Egwino, Romae subscripsisse: Brithwaldum et Oswardum post Egwini reditum, hic in Anglia. Nec quid impediret, sciam, si Egwinus tertio jam fuisset Romae, et Kenredus atque Offa seculares nondum exuissent facultates: sed characterem monachatus per quinquennium ante suscipientes, mundo jam emortui, mundanas nec tractarent actiones, nec se regnum titulis adornarent. Chartas igitur, hanc et praecedentem alteram, factas censeo antequam tondebantur reges, hoc est, anno dcccix. scriptamque in hac charta (ut in altera) dationem, literis numerabilibus, juxta morem illorum temporum, nam figuris non sunt usi Saxones, anno dominicae Incarnationis dcccviii. quod fuligine forte obductum male oculatus scriptor dcccxiii. legit, figurisque exprimit 714. pro 709. Sed habetur in hac charta alius nodus, et hic quidem ense potius quam industria nostra dissolvendus: qui fiat ut Brithwaldus chartam istam scriberet et dictaret ex praecepto papae Romani cum consensu principum totius Angliae, cum nondum convenissent principes, nec habitum sit concilium quod praeceperat papa, nec Brithwaldus Romam salutasset advena.

Rex Ina celeberrimam eleemosynam, quae Denarius S. Petri appellatur, Romae confert. [Ibidem p. 230.]

CIRCA hoc tempus praefatus Ina rex occidentalium Saxonum, celeberrimam eleemosynam, quam Denarium S. Petri vocant, vulgus Romefcot, Romae contulit. "Rex Ina," inquit Ran. Cestrensis lib. V. cap. xxiv. e Will. de reg. lib. I.] "commendato regno suo Westsaxoniae, Ethelardo cognato suo, Romam profectus est. Qui primus omnium regum denarium ex singulis domibus regni sui, B. Petro fertur concessisse, quod diu ab Anglis Romefcot, Latine vero Denarius Petri vocabatur." Audi Polydorum, Hist. lib. IV. "Officia autem," inquit, "ejus regis [Inae] pietatis plena infinita produntur, et illud imprimis, quod regnum suum

Romano pontifici vectigale fecerit, singulis argenteis nummis quos denarios vocant in singulas domos impositis. Fecit idem ejus exemplo, ut opinor, ductus Offa Merciorum rex, qui non multo post id tempus regnavit. Fuit is annus salutis dcccxl. Hoc vectigal prout quidam scribunt, auxit posthac Ethelwolphus seu Athulphus rex, qui, ut proximo libro demonstrabitur, totius fere insulae imperium obtinuit. Omnis Anglia hoc tempore illud vectigal pietatis et religionis causa, Romano pontifici pendit domesticatim collatum, et nummi illi argentei vocantur vulgo Denarii divi Petri, quos pontificius quaestor, quem non inscienter collectorum

lectorum nuncupant, exigit. Nos hanc olim quaesturam aliquot per annos gessimus, ejusque muneris obeundi causa, primum in Angliam venimus."

Haec POLYDORUS. Vide plura superius

tom. I. p. 155. seq. de Offa. Ina vero Romam regrediens, comam deposuisse dicitur, et brevi obiisse: et regina ejus Edelburga primo monialis facta est in coenobio Berkingensi juxta Thamesim, et deinde illic abbatissa.

Aliud chartae istius Aethelbaldi exemplar priori succinctius, ut habetur apud Ingulphum Saxonem, in hist. Croyland. et, levi interdictum dictionis varietate, Guilielmum Malmesburium De gestis reg. lib. I. [Spelm. vol. I. p. 257. seq.]

PRAEDICTUS vero rex Ethelbaldus, perfecto et plene consummato monasterio suo Croyland, ad promovendam sanctam ecclesiam ubique per regnum suum, et ad alia etiam religionum virorum ac mulierum coenobia dignitatibus et privilegiis emancipanda, jugiter animo intendebat, unde pro libertate ecclesiastica per suum regnum roboranda, tertio anno regni sui tale statutum legitur edidisse.

Cum plerumque contingere soleat pro incerta temporum vicissitudine, ut ea, quae multarum et fidelium personarum testimonio, concilio roborata fuerunt, per contumaciam plurimorum, et machinamenta simulationis fraudulentae, et sine ulla consideratione rationis in animarum suarum periculosi dissipentur, nisi auctoritate literarum et testimonio cyrographorum in perpetuam memoriam fuerint consignata.

Quapropter ego Ethelbaldus rex Merciorum pro amore caelestis patriae, et pro redemptione animae meae, statuendum esse providi, ut eam per bona opera liberam efficerem ab omni vinculo delictorum. Dum enim mihi omnipotens per misericordiam clementiae suae absque ullo

antecedente merito, sceptrum regni largitus est, ideo libenter ex eo quod dedit retribuio. Hujus rei gratia hanc donationem meam me vivente concedo ut omnia monasteria et ecclesiae regni mei a publicis vectigalibus, operibus et oneribus absolvantur, nisi in instructionibus arcium vel pontium, quae nulli unquam possunt laxari. Praeterea habeant famuli Dei propriam libertatem in proficuo sylvarum, in fructu agrorum, in captura piscium, nec munuscula praebeant regi, vel principibus, nisi voluntaria, sed liberi Domino serviant in contemplatione pacifica, per totum regnum meum usque in aevum.

Nota. Desinunt Ingulphus et Malmesburius, cum ad imprecationem est perventum; in Ingulphi autem editione legitur, Aethelbaldum hoc statutum edidisse tertio anno regni sui, hoc est, dum in sordibus versaretur juvenilibus, nec a Bonifacio legato Romano adhuc expectatus esset: sed restituendo est lectio juxta chartae suae datum: scil. anno tricesimo tertio regni sui.

Venerabilis Bedae presbyteri de remediis peccatorum. [Ibidem p. 281. seqq.]

Praefatio.

DE remediis peccatorum paucissima haec quae sequuntur, ex priorum monimentis excerptimus: in quibus tamen omnibus non auctoritate censoris, sed consilio potius compatiens usi sumus, solerter admonentes doctum quemque sacerdotem Christi, ut in universis quae hic adnotata reperit, sexum, aetatem, conditionem, statum, personam cujusque poenitentiam agere volentis, ipsum quoque cor poenitentis curiose discernat, et secundum haec ut sibi visum fuerit, singula quaeque judicet. Quibusdam namque a cibis abstinendo, nonnullis genua saepius flectendo, sive in cruce stando, aut aliud aliquid hujusmodi, quod ad purgationem peccatorum pertineat, faciendo: plurimis universa haec agendo, sua necesse est errata corrigere: quae universa in examine discreti debent pendere iudicis.

I. Excerptum de canonibus catholicorum patrum vel poenitentiae ad remedium animarum domini Egberti archiepiscopi.

Institutio illa sancta, quae fiebat in diebus patrum nostrorum, rectas vias nunquam deseruit, qui instituerunt poenitentibus atque lugentibus suas passiones ad vera medicamenta salutis:

quia diversitas culparum diversitatem facit poenitentibus medicamentum, vel sicut medici corporum diversa medicamina vel potiones solent facere contra diversitatem infirmitatum, vel iudices secularium causarum. Diversa igitur iudicia, qui boni sunt et recti, pensant et tractant quomodo recte judicent inter miseros et divites, inter causam et causam. Quanto magis igitur O sacerdotes Dei, diversa medicamenta animarum invisibilium hominibus pensare et tractare oporteat, ne per stultum medicum vulnera animarum fiant pejora, propheta dicente: "Computruerunt et deterioraverunt cicatrices meae a facie insipientiae meae." O stulte medice, noli decipere animam tuam, et illius ne duplicem poenam accipies, vel septupla, vel millena: audi Christum dicentem: "Si caecus caecum duxerint, ambo cadent in foveam." Si tu non cogitas iudicium meum, alter homo non audit neque videt, qui me judicet. O non intelligis, quia Deus iudex justus et fortis videt et audit, et in palam abscondita deducit, et reddit secundum opera: et item vere sunt nonnulli caecorum, canum similitudine currentium ad cadavera mortuorum, vel corvorum volantium, qui ad sacerdotium vehuntur, qui non propter Dominum, sed plus propter honorem terrenum inhiantes caeci divina sapientia. De talibus dixit

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Gregorius Nazianzenus: "Timeo hoc quod canes affectantur officium pastorale, maxime cum in semetipsis nihil pastoralis praeparaverint disciplinae: Ezechiel namque ait, "Vae pastoribus Israel, qui pascebant semetipsos, et non gregem: lac bibebant, et lanis eorum operiebantur, et quod crassum fuit manducabant, quod fractum fuit non alligabant," etc. Item Ezechiel ait: "Vae sacerdotibus qui comedunt populi mei peccata," hoc est, sibi eorum fumentes victimas, et non orantes pro eis. Comedentes hostias et non corripientes: qui ubi morituros homines audiunt, inde gaudentes, et praeparant se ad praedam, quasi corvi ad cadavera mortuorum. Nunc ergo fratres, qui voluerit sacerdotalem auctoritatem accipere, inprimis cogitet propter Deum, et praeparet arma ejus antequam manus episcopi tangat caput, id est, psalterium, lectionarium, antiphonarium, missale, baptisterium, martyrologium, in anno circuli ad praedicationem cum bonis operibus et computum cum cyclo, hoc est jus sacerdotum. Postea autem suum poenitentialem, qui hoc ordine secundum auctoritatem canonum ordinatur, ut discretionem omnium causarum investiges. Primitus sine quibus rectum iudicium non potest stare, quia scriptum est: in nulla re appareas indiscretus, sed distingue quid, ubi, quamdiu, quando, qualiter debeas facere. Non omnibus ergo in una eademque libra pensandum est, licet in uno constringantur vitio: sed discretio sit unoquoque eorum, hoc est, inter divitem et pauperem, liberum, servum, infantem, puerum, juvenem, adolescentem, aetate senem, hebetem, gnarum, laicum, clericum, monachum, episcopum, presbyterum, diaconum, subdiaconum, lectorem: in gradu vel sine, in conjugio vel sine, peregrinum, virginem, foeminam, canonicam vel sanctimoniam, debilem, infirmum, sanum. De qualitate pecudum vel hominum, continens vel incontinens, voluntate vel in casu, in publico vel in abscondito, quasi compunctione emendet necessitate vel in voluntate, loca et tempora collationum constituerunt sancti apostoli. Deinde sancti patres, et sanctus Penuus. Deinde canones sanctorum patrum, deinde alii atque alii: ut Hieronymus, et Augustinus, et Gregorius, et Theodorus. Ex quorum omnium ista descripsimus dictis et sententiis veraciter, ut salvi sint omnes, et non pusillanimes, quia "Potentes potenter tormenta patientur." Item in Jesu filii Sirach, "In iudicando esto misericors, pusillus ut pater, et pro viro matri illorum." Item sanctus Jacobus dixit: "Iudicium sine misericordia erit illi, qui non facit misericordiam," superexaltat autem misericordia iudicium, ut idem ipse consequatur: ut sanctus Benedictus, hoc est, qui veram poenitentiam faciunt in jejuniis et fletu, in eleemosynis, in orationibus, et perpetrata iterum non faciunt: et si faciunt, tamen non perseverarent in eis: quia Deus dixit: "Malum cogitasti, ignovi: malum dixisti, ignovi: malum fecisti, ignovi: perseverare in malo, non ignosco." Ergo qui perseverant in malo, non ignosce, sed iudica iudicium districtum secundum canones, ut alii timorem habeant.

II. De fornicatione.

Adolescens si cum virgine peccaverit, annum unum poeniteat. Si semel et fortuito, levietur, et tamen usque ad annum plenum. Si intra viginti annos puella adolescens, tres Quadragesimas, et ferias legitimas. Si propter hoc peccatum servitio humano addicti sunt, quadraginta dies; si nitens tantum, et non coinquinatus, viginti dies poeniteat. Si vidua obstuprata annum totum, et dies jejuniorum in altero: si usque ad generatum filii, annos duos integros, et duos alios levius. Si et occiderint, annos tres, et alios quatuor levius. Si monachus laicam, tres annos poeniteat. Illa duo, et legitimas ferias. Si monacham laicus, duos annos poeniteat, et legitimas ferias. Illa tres. Si usque ad generatum filium, annos quatuor, si et occiderint, septem annos poeniteat. Si quis vacans uxorem alterius polluit, duos annos poeniteat. Si uxoratus virginem, similiter, ita ut primo horum a sua contineat. Si ei consenserit, alioquin addatur modus poenitentiae. Si uxoratus uxorem alterius, tres annos poeniteat. Primo horum a propria consentiente abstineat. Si uxoratus ancillam suam, annum unum poeniteat, et tres Quadragesimas, et legit. fer. tribus mensibus primis, et a sua se contineat. Illa si invita passa est, quadraginta dies poeniteat: si consentiens, tres Quadragesimas, et legit. fer. Si adolescens sororem, septem annos poeniteat. Si matrem, septem annos, et quamdiu vixerit, nunquam sine continentia. Si Sodomitae, annos septem, si in consuetudine, annos septem; vel si monachus, annos septem. Qui cum pecude peccat, annum unum: si monachus est, duos annos; qui saepe fornicantur laicus cum laica, tres annos poeniteant, et quanto saepius aut negligentius, tanto magis et tempus addat, et modum. Qui diutius fornicationi, perjurio, latrocinii, caeterisque flagitiis servivit, annos septem poeniteat. Qui complexu foeminae illecebroso, vel osculo polluitur, dies triginta poeniteat. Qui contactu ejus invectus ad carnem, tres menses poeniteat. Puer seipsum voluntate polluens, triginta dies poeniteat, juvenis quadraginta, qui in turpiloquio polluitur negligens, septem dies poeniteat. Qui impugnatione cogitationis et naturae inquinatur nolens, per quatuor dies quinquagenos psalmos canat, et quarta et sexta feria jejundet ad nonam vel ad vesperam. Qui in ecclesia consecrata concumbunt, qui in ecclesia per somnium polluitur, tres dies poeniteat: uxoratus contineat se quadraginta dies ante Pascha et natale Domini, et omni die Dominico, et quarta et sexta feria a conceptione manifestata, usque post natam sobolem. Vir contineat se ab uxore tres menses; uxor post natam sobolem abstineat se ab ecclesia, si filius est, dies triginta, si filia, quadraginta. Si quis cum muliere tempore menstrui sanguinis concubuerit triginta dies poeniteat; qui Dominica nocte vel . . . sanctorum septem dies poeniteat. Patrens, cujus filius per negligentiam non baptizatus obiit, unum annum poeniteat, et nunquam sine aliqua poenitentia. Si sacerdos, ad quem perti-

pertinebat, vocatus venire neglexerit, ipse damnationem animae iudicio episcopi sui castigetur. Sed in omnibus licet fidelibus, ubi forte morituros invenerint non baptizatos, immo praeceptum est, animas eripere a diabolo per baptismum: id est, benedictam simpliciter aquam in nomine Domini, baptizare illos in nomine Patris, et Filii, et Spiritus Sancti. Intincto autem superfusus aqua, unde oportet eos qui possunt fideles monachos maxime, et scientiam habere baptizandi, et si longius alicubi exierint eucharistiam semper secum habere.

III. De occisione.

Qui occiderit monachum aut clericum, arma relinquat, et Deo serviat, vel septem annos poeniteat. Qui laicum, odii meditatione, vel possidendae haereditatis ejus, annos quatuor. Qui pro vindicta fratris, unum annum. Et in sequentibus duos annos, tres Quadragesimas ac legitimas ferias. Qui per iram subitam et rixam, tres annos poeniteat. Qui casu, unum annum. Qui in bello publico, dies quadraginta. Qui jubente domino suo servus, dies quadraginta. Qui liber jubente majore suo innocentem, annum unum, et sequentes duas tres Quadragesimas et legit. fer. Qui super rixam ictu debilem vel deformem hominem reddit, impensas in medicos, et maculae pretium et opus ejus donec sanetur, restituat, et dimidium annum. Si vero non habet unde restituat haec, annum integrum. Qui ad feriendum hominem surrexerit, volens eum occidere, duas septimanas poeniteat. Si clericus fuit, septem menses. Quod et si vulneraverit, dies quadraginta, si clericus, annum totum. Sed et pecuniam pro modo vulneris, licet lex non commendat, cui inflixit, tribuat ne laesus scandalizet. Mulier partum suum ante dies quadraginta sponte perdens, unum annum poeniteat. Si vero post quadraginta dies, tres annos poeniteat. Si vero postquam animatus fuit, quasi homicida. Sed distat multum, utrum pauperula per difficultatem nutriendi, an fornicaria, causa sceleris celandi faciat. Qui perjurat sciens, compulsus a domino suo, tres Quadragesimas poeniteat, ac legit. fer. Qui sciens virtutem juramenti vel perjurii, perjurat in manu episcopi aut presbyteri, vel altari vel cruce consecrata, tres annos poeniteat. Si vero in cruce non consecrata, unum annum poeniteat. Si autem in manu hominis, apud Graecos nihil est. Qui seducit nescium perjurare, pernoxio, qui et postea perjurium suum cognovit, unum annum poeniteat.

IV. De immunda carne.

Qui manducat carnem immundam aut dilaceratam a bestiis, quadraginta dies poeniteat. Si necessitate famis cogente multo levius. Mus si ceciderit in liquorem, tollatur inde, et aspergatur liquor ille aqua benedicta: si vero mortuus sit, abjiciatur totus liquor, nec ab hominibus sumatur, sive lac sit, cerevisia, vel aliquid hujusmodi; quodsi mortuus sit, liquor ille in quo mus vel mustela incidens moritur, purgetur, et aspergatur aqua sancta, et sumatur.

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tur, si necessitas sit. Si avis stercoreaverit in quemcunque liquorem, hujusmodi tollatur sterco, et mundetur cibus aqua benedicta, et sumatur. Qui sanguinem nescius cum saliva sorbet, non ei nocebit; qui manducans proprio polluitur inscius, non ei nocet. Si autem scit, poenitentiam agat juxta modum pollutionis.

V. De capitalibus criminibus.

Nunc igitur capitalia crimina secundum canones explicabo. Primo superbia, invidia, fornicatio, inanis gloria, ira longo tempore, tristitia seculi, avaritia, ventris ingluvies: Augustinus adjecit sacrilegium, id est, sacrarum rerum furtum, et hoc est maximum furtum, vel idololatriis servientem. Id est, auspiciis, et reliqua. Deinde adulterium, falsum testimonium, furtum, rapina, ebrietas assidua, idololatria. Molles, sodomita, maledici, perjuri. Ista sunt ergo capitalia crimina. Sanctus Paulus et Augustinus, et alii sancti computaverunt, pro istis fieri oportere eleemosynas largas, et longum tempus jejunium teneatur. Id est, ut alii judicant, pro capitalibus, id est, adulteris, homicidis, perjuris, fornicariis, et similibus. Laicus quatuor annos poeniteat: clericus quinque, subdiaconus sex, diaconus octo, presbyter decem, episcopus duodecim, si consuetudo erat.

VI. De minoribus peccatis.

Id est, furto, falso testimonio, et similibus. Laici annum unum, clerici duo, subdiaconus tres, diaconus quatuor, presbyter quinque, episcopus septem annos poeniteant. Item [de] sodomitis si consuetudo erat, episcopus quatuordecim annos poeniteat, presbyter duodecim, diaconus decem, subdiaconi octo, clerici septem, laici quinque. Monachus si fornicationem facit cum ancilla Dei, quatuor annos poeniteat. Si cum puella, septem annos poeniteat. De parricidis vel fratricidis: quidam septem, quidam quatuordecim et septem.

VII. De cupiditate, caeterisque flagitiis.

Item cupidus vel avarus, vel ebriosus, vel superbus, vel invidus, vel rapax, vel iracundia longa, vel maledicus, vel his similia, quae enumerare longum est, tres annos poeniteat. Item si clericus cum quadrupede fornicaverit, duos annos poeniteat, subdiaconus tres, diaconus quinque, presbyter septem, episcopus decem annos poeniteat. Qui cum matre fornicaverit, quindecim annos poeniteat. Si cum filia vel sorore, duodecim annos poeniteat. Qui cum fratre naturali fornicaverit per commixtionem carnis, ab omni carne se abstineat, quindecim annos poeniteat. Si clericus venationes exercuerit, annum unum poeniteat, diaconus duos, presbyter tres. Si presbyter, vel diaconus, vel monachus uxorem duxerit, in conscientia populi deponatur. Si adulterium perpetraverit cum ea, et in conscientia populi devenit, projiciatur extra ecclesiam, et inter laicos poeniteat quamdiu vixerit. Qui dimiserit uxorem suam alteri coniugi, septem annos poeniteat. Si clericus homicidium fecerit, et proximum suum occiderit, decem annos poeniteat, exul septem poeniteat,

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si odii meditatio fuit. Si laicus homicidium fecerit per furorem, et meditationem, quatuor annos poeniteat, vel quinque vel septem annos poeniteat. Si per rixam, quatuor annos poeniteat. Item qui immolat daemonibus in magnis, si consuetudo est, decem annos poeniteat. In minimis annum unum; auguriis et divinationibus, quinque annos poeniteat. Emissores tempestatum septem annos poeniteant; ut poenitentia semper isto ordine servata sit ab uno anno, et deinceps de qualicunque peccato: id est, in unaquaque hebdomade tres dies vino, et sine medone, carne: et jejUNET usque ad vesperam, et manducet de sicco cibo, et tres Quadragesimas semper de sicco cibo, et jejUNET tres dies ad nonam, et tres ad vesperam; et in diebus dominicis, et in natale Domini quatuor dies, et in Epiphaniam et in Pascha, usque in Albas; et ascensionem Domini, et Pentecosten, et S. Michael, et sanctae Mariae, et sancti Johannis Baptistae, et duodecim apostolorum, et sancti Martini, et illius sancti festivitatem, qui in illa provincia est, in his praedictis diebus faciat charitatem, sicut sui compares, clerici sive laici. Ebrietatem et ventris distensionem in omnibus caveant. Faciant quod Apostolus dicit, "Sive manducetis, sive bibatis, vel quicquid facitis, omnia ad gloriam Dei facite." Tunc ergo digna poenitentia est, si hoc impleatur.

VIII. De clericorum poenitentia.

Item in canone apostolorum indicatur, ut episcopus, presbyter, diaconus, qui in fornicatione aut perjurio, aut furto captus est, depouatur: non tamen communione privetur, quia non judicat Deus bis in id ipsum. Si quis pontifex fornicationem faciens, naturalem judicabit duodecim annos poeniteat; per multas lachrymas et eleemosynas, veniam a Domino petat; post annos tres vel quatuor levius. Presbyter cum puella non praelato monachi voto annos tres vel quatuor poeniteat, tres Quadragesimas, et quartas et sextas ferias semper de sicco cibo. Si cum ancilla Dei, aut cum masculo, plus addetur, id est, septem annos poeniteat, si consuetudo est. Similiter diaconi, si monachi non sunt, duos vel tres annos poeniteant. Sic et monachus sine gradu, si cum puella, annos tres. Si diaconus vel monachi sunt, quinque vel septem annos poeniteat. Monachi cum gradu, septem annos poeniteant, si sine voto; monachi cum puella novem annos vel decem poeniteant. Clericus sine voto monachi fornicatus, unum annum poeniteat. Si frequenter, duos annos poeniteat. Si cum canonica, duos annos: frequenter tres. Si genuerit filium, plus poeniteat: id est, quatuor vel quinque annos, alii dicunt septem exul fiat. Sic et virgo sanctimonialis cum laicis sine gradu, si clericus, qui canonici sunt, unum annum; frequenter duos. In gradu autem sicut monachus, id est, tres annos. Theodorus dixit: "Monachus faciens fornicationem, et non invenit, unum annum poeniteat et dimidium." Item monachus faciens cum puella, sex annos poeniteat. Laicus maculans se cum ancilla Dei, annos duos poeniteat. Si

genuerit ex ea, tres annos poeniteat. Si sine conjugio sunt, tres Quadragesimas; quidam quadraginta dies judicant, id est, consuetum. Item sodomitae quidam, decem, id est, qui saepe fecerit vel in gradu quidam septem annos, quidam ann. ut mollis quidam centum dies, ut pueri, viri inter annos, si pueri duos annos. Qui cum pecude peccaverit, vel jumento, decem annos poeniteat, quidam septem, quidam tres, quidam unum, quidam centum dies, ut pueri. Oportebat discretionem esse inter qualitatem pecudum, vel hominum, sicut supra diximus. Item episcopus si cum quadrupede fornicaverit, octo annos poeniteat, si consuetudo, decem, presbyter quinque, diaconus tres, clericus duos.

IX. De juramento.

Qui juramentum fecerit in ecclesia, aut in evangelio, sive in reliquiis sanctorum, septem annos poeniteat. Alii duodecim annos judicant. Sive in manu episcopi, aut presbyteri vel diaconi, sive in cruce consecrata, unum annum poeniteat. Alii tres vel quatuor judicant. Et in cruce non consecrata, unum annum, vel septem menses, ut alii; qui autem seductus ignorans, et postea cognoscit, unum annum poeniteat, vel tres Quadragesimas, vel quadraginta dies poeniteat. Si quis coactus pro qualibet causa necessitatis, tres Quadragesimas, alii tres, annum unum, et ex eis in pane et aqua, ut alii judicant. Item perjuri tres annos qui suspicatur priusquam juramentum ducatur, et tamen jurat per consensum, duos annos poeniteat. Si quis in manu laici juraverit, apud Graecos nihil est.

X. De abstinentia mulierum.

Mulier abstineat se a viro suo, quando conceperit, antequam pepererit: et post partum quadraginta dies. Qui autem nupserit his diebus, decem dies poeniteat, vel triginti, vel viginti. Qui in matrimonio sunt, abstineant se tres Quadragesimas, et in dominica nocte, et in Sabbato et feria quarta et tertia qui legitime sunt, et tres noctes abstineant se, antequam communicent. Qui in Quadragesima ante Pascha cognoscit uxorem suam, et noluit abstinere, unum annum poeniteat, vel suum pretium reddat ad ecclesiam, vel pauperibus dividat, vel viginti sex solidos reddat. Si per ebrietatem vel aliqua causa accefferit sine consuetudine, quadraginta dies poeniteat. Mulier si divinationes fecerit, vel incantationes diabolicas, unum annum poeniteat, vel tres Quadragesimas, vel quadraginta dies, juxta qualitatem culpae. Mulier si aliquem interfecerit, imitantem malitia sua: id est, per poculum, aut per artem aliquam, octo annos poeniteat. Si paupercula, quatuor annos. Mulier si occiderit filium suum per homicidium, undecim annos poeniteat.

XI. De auguriis vel divinationibus.

Auguria vel sortes, quae dicuntur fata sanctorum, vel divinationibus observare, vel quorumcunque scripturarum inspectione futura promittunt, vel votum voverint in arborem vel in quamlibet

quamlibet rem, excepta ecclesia, si clericus laici excommunicentur ab ecclesia, vel tres annos clericus poeniteat, laici duo, vel unum et dimidium. Mulier si filium suum supra tectum ponit, vel in fornacem, pro sanitate febrium, quinque annos poeniteat. Nolite exercere, quando luna obscuratur, ut clamoribus ac maleficiis sacrilego usu se defensare posse confidunt. Caragios et divinos praecantatores, laici tres dies sine cerevisia vel vino et carne: alii duodecim dies. Si fidelis laicus sit, qui pro nequitia inebriat alterum, quadraginta dies poeniteat. Si vomitum facit infirmitatis causa, sine culpa est.

XII. De ebrietate.

Si per ebrietatem vel voracitatem evomerit eucharistiam, quadraginta dies poeniteat. Clericus, monachus, diaconus sexaginta, presbyter septuaginta, episcopus centum decem. Si infirmitatis causa septem dies unusquisque, sine infirmitatis causa sacrificii die quatuor dies; quidam psalterium, quidam bis psalterium suum sacrificii die in ignem projecit, vel in flumine, centum psalmos cantet. Si canes comedunt talem vomitum, centum diebus, si scit; si non scit, quadraginta. Qui vero inebriantur contra praeceptum Domini, si votum sanctitatis habent: hoc est ebrietas, quando statum mentis mutat, et linguae balbutiunt, et oculi turbantur, et vertigo erit, et ventris distensio, ac dolor sequitur. Si clericus sit, quatuor dies poeniteat. Monachus quatuordecim diaconus quatuor hebdomades. Presbyter quatuor, episcopus quinque, praelati tres sine vino et carne.

XIII. De eucharistia.

Si quis eucharistiam negligentiae causa perdidit, unum annum poeniteat, tres Quadragesimas seu quadraginta dies poeniteat. Si sacrificium in terra ceciderit causa negligentiae, quinquaginta psalmos cantet. Qui neglexerit sacrificium, ut vermes in eo sint, ut colorem non habeat saporemque, viginti dies poeniteat, vel triginta vel quadraginta, et in igne accendatur. Cinis ejus sub altari abscondatur: si usque ad terram ceciderit, unum diem poeniteat; si stella arserit, altare ceciderit, tres dies poeniteat. Qui in ecclesia modicam partem perdiderit, et non invenerit, viginti dies poeniteat, unoquoque die psalmos quadraginta cantet. Qui autem in plebem suam chrismalem perdiderit, et non invenerit, quadraginta dies poeniteat, vel tres Quadragesimas. Qui perfuderit calicem in finem solennitatis, triginta dies poeniteat.

XIV. De diversis causis.

Qui creaturam perdiderit, thus, tabulas, aut schedulam suam, sal benedictum, panem novum consecratum, vel aliquid huic simile, quatuor dies poeniteat. Qui morticinum inscius comederit, quadraginta dies poeniteat. Si autem sciens, centum dies poeniteat. Qui suffocatum comedit et est inops, vel hebes, quatuor dies poeniteat: sani autem et infirmi si sciunt, quadraginta dies poeniteant. Qui saepe faciunt tres Quadragesimas vel annum. Qui comedit vel bibit intinctum a familiari bestia, id est,

canem vel cato, et scit, centum psalmos cantet, vel unum diem jejunet. Si quis dederit alicui liquorem, in quo mus vel mustela mortua inveniuntur; si secularis, quatuor dies poeniteat, in coenobiis trecentos psalmos cantet. Qui postea noverit, quod tale potum biberit, psalterium cantet. Si quis semicoctum comederit inscius tres dies poeniteat: vel psalterium cantet. Sciens autem, quatuor dies poeniteat: pro modico furto, triginta dies poeniteat in viginti annos. Pueri decem annorum, aliquod furtum facientes, quatuor dies poeniteant. Si quis intinxerit manum in aliquo cibo, et non idonea manu, centum psalmis emendetur. Si in farina aut in aliquo cibo sicco, aut in pulvere aut lacte coagulato mus vel mustela mortua inveniuntur, quod in circuitu ejus remanserit, projicietur foras: et quod reliquum est manducetur. Item qui autem, quod impoenitentiale scriptum est, implere poterit, bonum est: qui autem non potest, consilium damus per misericordiam Dei, in primitus pro uno die in pane et aqua, quinquaginta psalmos, genu flectendo: aut sine flexu, septuaginta psalmos, intra ecclesiam, vel in uno loco per ordinem psallat: et pro uno die valent duae et centum genuflexiones, vel unus denarius pro die valet, et tres eleemosynas tres pauperes valent: quidam dicunt quinquaginta percussiones, quinquaginta psal. pro uno die valent. Id est, in hyeme, in autumno, et in verno, centum percussiones vel psalm. et in aestate, centum quinquaginta psalmos vel percussiones. Item pro uno mense, quod in pane et aqua poenitere debet psalmos in genuflexu, vel sine flexu, j. dc. lxxx. et postea omnes dies reficiant ad sextam, nisi quarta et sexta feria jejunet ad nonam. A carne et vino abstineat se, alium cibum postquam psallat, sumat. In duos annos remissior poenitentia erit, de natali Domini usque in Epiphania, et illos praedictos dies, qui superscribuntur, qui impoenitentiae non computantur. Item qui non potest sic agere poenitentiam, sicut superius diximus, in primo anno eroget in eleemosyna solidos viginti tres pro uno anno in pane et aqua, donet in eleemosyna solidos viginti duos, et in unaquaque hebdomade unum diem jejunet ad nonam, et alium ad vespertinum, et tres Quad. in duos, viginti solidos, pro tribus annis octoginta solidos, quae sunt lxiv. solidi. Potentes homines pro culpis criminalibus faciunt, ut Zacchaeus ait: "Domine omnium bonorum meorum dimidium do pauperibus, et si quid injuste abstuli, in quadruplum reddam;" et de mancipiis dimittat liberos et captivos redimat, et a quo die desinat peccare, non desinat commemorare, quod apostolus ait: "Qui per corpus peccat, per corpus emendet," hoc est, jejniis et vigiliis, et orationibus ad Dominum, qui conversus fuerit, et omne malum fecit, in effundendum sanguinem in furto, in fornicatione, in mendacio et juramento, et omnibus malis: et postea Deo servire vult usque in finem, tres et duos annos poeniteat, vel quomodo sacerdos judicet. Ipse tamen cogitet de medicamento animarum, quomodo suam vel eorum animas servare valeat in erudiendo, in docendo sanum sermonem

nem, quod qui bene ministrat, bonum gradum sibi acquirit apud eum, qui est super omnia
 “Deus benedictus in secula seculorum, Amen.”

XV. *Item de pretio anni vel diei.*

Primo anno quidam promiserunt quatuor triduanas, interveniente una nocte. Alii aiunt, duodecim triduanas: hoc est, semel in uno mense triduanas quidam dixerunt. Quidam verberibus aut in vigiliis insistendo quatrimum: alii sic, alii vero sic. Pretium autem diei, hoc est agapen, duobus vel tribus pauperibus. Alii totum psalterium, id est, in aestate, in hyeme vero, et in verno vel autumnno quinquaginta psalmos: quidam duodecim plagas vel percussiones, vel plus minus vel discernat tempora. Quidam in labore alieno, vel inflectendo Quadrageinta bis definat, Quadrageinta ter definat, centum viginti sexies definat, et addentur decem, secundo viginti, superiori triginta, si labor non sit.

Nota. Gestit, ut vides, hoc se opusculum, Bedae nomine, aegre tamen id concedendum. Si enim poenitentiales suos canones non ediderit Egbertus usquedum salutatus est archiepiscopus, ut ex eorum suggeratur titulo, nec pote-

stas ei per jus competiverit quam e Roma retulisset pallium; libellus iste sine dubio non est Bedae. Juxta Fastos enim non est affecutus archiepiscopatus cathedram ante annum gratiae DCCXXXV. Pallium vero, ut superius e Florilego annotavimus, non ante annum DCCXLV. et Bedam obiisse refert Sigebertus in an. Domini DCCXXXI. probatiores nostri auctores Wigornensis, Malmesburienensis, Westmonasteriensis, atque alii in anno DCCXXXIV. et Cuthbertus ipse, qui apud Wigornensem adfuisse dicitur morienti, in sequenti anno, hoc est DCCXXXV. 8. cal Junii, 4. feria, et circa horam x.

Bedae igitur non est tribuendum, reor, hoc opusculum: cujus ne relator deprehendar malefidus: scias lector me pauca aliquot hic consulto praeteriisse, utpote quae pectore verecundi sacerdotis potius reponenda censui, quam publicae exponenda lectioni, ne ignotas forte doceant turpitudines, castumve huic radant oculum, pudicam illi aurem. Loca igitur nec vel asterisco denotavimus, ne quaerenti esset pro Mercurio. Pluribus autem, ut accepi, discrepat impressus codex ab Oxoniensi manuscripto, habenturque in eodem aegri aliquot loci quos tardius deprehensos, jam non possumus sanos reddere.

Monachi primum in Anglia vinum bibunt. Ex Balaeo Cent. II. cap. xv. in Append. [Ann. Dom. DCCLVII. Spelm. vol. I. p. 289.]

PIPINUS ex regis et magistri sui prodicione Francorum rex per pontificem factus, Romanorum ritus et cantum anno Dom. DCCLVI. primus in Gallias attulit: ut habet Paulus Aemilius in Chronicis Francorum. Sequenti anno

monachi primum Lindisfarne, vinum bibere coeperunt: nam prius aquam solummodo aut lac potabant. Principes in Anglia multi his diebus, cum tonsura monachatum induebant.

Edictum Eadberti regis Cantii de mutandis loco et consuetudine sepeliendi reges et archiepiscopos Cantuarienses. Ex Antiqq. Britann. Eccl. in Cuthberto et Tho. Spot. monach. S. Aug. [Ann. Dom. DCCLVIII. Ibidem seq.]

CUTHBERTUS, archiepiscopus Cantuariæ ecclesiam suam cathedralem Christi, honore aliquo insignire cupiens, cum nulla honorabili sepultura ornatam videret, indignum ratus est, defunctorum archiepiscoporum corporibus suam ecclesiam spoliari, et ad monasterium Petri et Pauli, sanctique Augustini ea semper transferri. Iniit ergo secum rationem, quonam modo hanc consuetudinem irritam faceret. Itaque ad regem Eadbertum in Cantio tunc regnantem accessit: ab eo precibus contendit, ut praedictum sepulturae morem mutaret, et mutatum regio suo edicto confirmaret: quod partim precario, partim etiam pretio interveniente, tandem obtinuit an. Dom. DCCLVIII. etc.

Nota. Luci non prostat edicti istius regii diploma. Constituit autem Augustinus, primus ibidem archiepiscopus ex auctoritate sancti Gregorii papae ejusdemque confirmatione: ut monasterium SS. Petri et Pauli, quod in fundo S. Pancratii extra muros Cantuariæ aedificabatur, locus in perpetuum esset sepulturae

archiepiscoporum Cantuariensium: ut v deas in appendice in diatriba de primis ecclesiis Anglofaxonum, pag. 724. in tertia charta Ethelberti regis p. 728. et in bulla plumbea Augustini p. 730. licet enim charta et bulla ista, scripturae vetustatem, quam prae se tulerint, non obtinuisse censeam, rei tamen gestae veritatem continere non inficiar.

Certum est, ante hoc Cuthberti tempus, nullum fuisse in urbibus coemeterium, nullum sepulturae locum. Prohibitum quippe cum in legibus XII. tabularum, cap. II. tum ex more gentium, et consuetudine ipsius ecclesiae, in urbibus sepelire. Morem igitur tenuere Gregorius et Augustinus, statuentes, ut ipsorum regum et archiepiscoporum sepultura extra urbem foret: et de hoc statuere, ad sacram jurisdictionem pertinebat (etiam apud Romanos ethnicos) non civilem. Cum tamen ad abrogandam hanc antiquam consuetudinem, et ecclesiasticam constitutionem ab archiepiscopo Augustino, et ipso papa Gregorio latam veniretur: vides sub hoc seculo, primatem ipsum antistitem Cuthbertum, non ad claves gladiumve ecclesiae

ecclesiae confugere, sed obnixius regiae potestatis virgam et diploma implorare: et hoc quidem non in armatam laicorum multitudinem late dispersam; sed in domesticam ec-

clesiae suae clientelam, imbelles aliquot monachos, claustro septos et mundo mortuos. Haec SPELM.

Scholae seu collegii Anglorum Romae institutio. Ex Balaeo Cent. I. ca. xv. et Malmesbur. De gest. reg. lib. II. cap. ii. [Circa ann. Dom. DCCCLX. Spelm. vol. I. p. 290. seq.]

DE istius origine tenuis apud veteres mentio. "Claruit [inquit Balaeus] Ecgbertus, archiepiscopus Ebor. anno a Salvatoris nostri adventu in carnem DCCCLX." Et mox subjungit in Appendice: "Circa haec tempora Merciorum rex Offa, Romae collegium pro peregrinis Anglicis, ad non modicum Anglicanae reipub. malum fecit, ac pontifici sua sponte tributum annuum pendit." Collegium sive scholam istam condidisse cedit etiam Malmesburius: qui de Aethelwulpho rege Romam postea veniente, sic commemorat: "Ibi ergo integro moratus anno, scholam Anglorum, quae, ut fertur, ab Offa rege Merciorum primitus instituta, proximo anno conflagraverat, reparavit egregie." Non autem cum Balaeo suggerit, Offam hoc collegium sive scholam condidisse, eodem tempore quo tributum pependit. Clarum enim est, eum neque concessisse neque pependisse tributum, de quo Balaeus loquitur, ante adventum suum Romam an. Dom. DCCXCIV. Scholam vero seu collegium etiam tunc et prius floruisse, liquet e residentiario codice MS. Cicestrensis ecclesiae, ubi in hunc modum legitur: "An-

no Domini DCCXIV. sic scriptum de denariis S. Petri reperitur. Offa rex Merciorum pro impetranda canonizatione S. Albani martyris, Romam adiens tempore Adriani papae primi expedito voto suo, scholas Anglorum quae tunc Romae floruerant ingressus, contulit ad sustentationem scholarium regni sui illuc venientium, singulos argenteos, de singulis familiis quibus fors tantum dederat extra domos in pascuis, ut XXX. argenteorum pretium excederet: et pro tali largitate obtinuit ab eodem papa, ut nullus de regno Angliae publice poenitens pro sibi injunctis poenitentiis, exilium tunc subiret." Clara igitur fuit haec Anglorum schola antequam Offa Romam venit, deinceps vero multo clarior ex hac ejus munificentia. Cui insigne aliud adjecit beneficium, quod a Carolo Magno privilegium obtinuit; ut Romam peregrinantes Angli religionis ergo pace fruerentur, liberique essent a vectigalibus et teloniis. Consimile eis utique privilegium Romae commorantibus, indulgit postea Martinus papa II. ut superius de utroque videas in annis gratiae DCCXCVII. et DCCCLXXXIII.

Carolus Magnus rex Francorum mittit concilii Nicaeni II. librum in Britanniam ad Offam R. Merciorum, in quo imagines decernuntur adorandae, sed Angli hoc rejiciunt. Ex lib. de vita Offae regis p. 152. [Ann. Dom. DCCXCII. Ibidem p. 305. seqq.]

Epistola Caroli Magni ad Offam, regem Merciorum.

CAROLUS, gratia Dei rex Francorum, et Longobardorum, et patricius Romanorum, viro venerando et fratri charissimo Offano, Merciorum regi salutem, honorem, et amorem. Cum deceat reges potentes et famosos amicitiae foedere convinciri, et mutuis gaudiis adinvicem gratulari, ut in vinculo charitatis Christus in omnibus et ab omnibus glorificetur: vestrae serenitati hoc eulogium duximus destinandum. Cum nobilissimam Longobardorum civitatem, cum suis civibus omnibus nostro dominatui subjugaverimus, et Italiam totam nostro imperio feliciter subjugaverimus, Christi adjutorio, cui famulari desideramus, rex Desiderius Longobardorum, ducesque Saxoniae, quos nostris nutibus inclinavimus, Withimundus et Albion, cum fere omnibus incolis Saxoniae, baptismi susceperunt sacramentum, Domino Jesu Christo de caetero famulaturi. Hoc igitur salubri mandato ego Carolus, regum christianorum orientalium potentissimus, vos O Offane, regum

occidentalium christianorum potentissime, cupio laetificare et te in dilectione speciali amplecti sincerius.

Ex quo autem haec Offano plenius nunciabantur, crevit dietim inter ipsos reges magnificos amicitia, foedera firmabantur, munera pretiosa mutuo deferebantur, regna utrobique non modicum roborabantur, et prosperitas utriusque suscepit incrementum. Inter caetera vero dilectionis insignia, memoratus rex Carolus (qui sicut erat regum potentissimus, ita et erat mansuetissimus) Offano regum Occidentalium maximo et piissimo, quasdam transmisit epistolas, cum quibus statuta synodalia, quasi quaedam fidei catholicae rudimenta, ad informandum corda aliquorum suorum praelatorum, quos rudes credidit et incompósitos: et ad amicitiam inter ipsos inchoatam feliciter perpetuandam. Quam et idem Offa, quasi hostiam sibi caelitus transmissam, gratanter et gaudenter suscepit.

Haec codex de vita Offae, qui praetermissis mediis pluribus, remotiora insequitur. Scribi enim videtur data epistola sub anno Domini DCCLXXIV. Nam eo anno subjugasse dicitur apud Sigebertum Carolus Magnus Desiderium, Longobardorum regem, et Italiam totam: tribusque suis exercitibus Saxonum tres exercitus delevisse. Statuta vero synodalia, de quibus loquitur, ad Offam non mittuntur ante annum DCCXCII. vel sub eo tempore, nam concilium ipsum Nicaenum II. non est celebratum ante an. Dom. [Bin. DCCLXXXVII. Sigeb. DCCLXXXIII. Fasti DCCLXXXIX. Pontac. DCCXC.] DCCLXXXIX. Nec meminit auctor iste quid in statutis illis synodalibus decretum fuit, sed ab aliis hoc petendum liquet, et inter primos Hovedeno, qui sic ait, Annal. par. I. pag. 405.

Anno ab incarnatione Domini DCCXCII. Carolus rex Francorum misit synodalem librum ad Britanniam, sibi a Constantinopoli directum: in quo libro, heu pro dolor! multa inconvenientia et verae fidei contraria, reperta sunt: maxime, quod pene omnium orientalium doctorum non minus quam trecentorum vel eo amplius episcoporum, unanimi assertione confirmatum, imagines adorari debere: quod omnino ecclesia Dei execratur. Contra quod scripsit * Albinus epistolam ex auctoritate divina scripturarum mirabiliter affirmatam, illamque cum eodem libro, ex persona episcoporum et principum nostrorum regi Francorum attulit.

Nota. Habetur Hovedeni haec narratio, ni me fallant notae meae et memoria, nam defunt mihi jam ad quos recurram libri ipsi, apud Simeonem Dunelmensem; et in historia Roffensi: in Saxon. Sermon. par. ult. et totidem verbis apud Matthaeum Westmonasteriensem in anno gratiae DCCXCIII. Qui hic Albinus, alias Flaccus Albinus, et usitatius Alcuinus nominatur. Vir inter eruditos sui seculi, extra aleam positus: Anglus genere, sed apud Gallos praecipue florens. Erat quippe Caroli Magni institutor, et in sacris ei consultissimus, de quo multa Malmesburius et scriptores nostri. Sed ne de Anglo Anglos audias, Sigebertum habe in anno DCCXC. "Alcuinus de Britannia oriundus, magister deliciosus regis Caroli, scientia literarum praepollet in Gallia, cujus praecipue magisterio ipse rex omnes artes liberales didicit. Hic multa scripsit inter quae eminent libri de sancta Trinitate scripti ad ipsum regem. Hic etiam jussu ipsius regis divinam historiam correxit." Haec illic. Vide Baronium.

Memorabilis autem et lugubris pariter sub hoc seculo orta est in ecclesia Dei, de adorandis imaginibus disceptatio: quae cum in oriente, ab ipsis imperatoribus Philippico Bardanae, Leone III. Isauro, Constantino VI. Cabalino etc. synodisque Nicaena et Constantinopolitana VII. oecumenica, etc. ultra citraque acerbissime vexata esset et damnata: arte et dolo Irenes imperatricis [dux foemina facti] aspi-

rante Hadriano papa, conflatum est Nicaenum hoc concilium an. Dom. DCCLXXXIX. in quo pars propugnatrix superior evasit, propulsatrix vincitur et opprimitur. Longum est ambages recitare, et non nostri penfi.

Stabilito vero in hunc modum cultu imaginum, allatus est a Constantinopoli ad Carolum Magnum, regem Franciae nondum imperatorem, actorum synodaliu codex, quem ille citius in Britanniam misit ad Offam regem Merciae, et episcopos suos observandum. Peregrina illis hac doctrina, quam, ut supra dicitur, "omnino ecclesia Dei execratur," contristatis; Alcuinus, de quo supra, per epistolam ex persona episcoporum et principum Angliae, ad Carolum datam, hanc Nicaeni concilii sententiam scripturae sacrae testimoniis mirabiliter labefactat: Carolumque, ut videtur, sic concussum reddidit, ut altero posthac anno, habita ex mandato ejus Francofordiae synodo 300. vel eo supra patrum, refutetur hoc decretum de imaginibus adorandis, et damnetur. Placeat synodi verba recitari, ut e bibliotheca celeberrimi I. C. Petri Pithoei luci publicae exhibuit Melchior Goldastus inter imperialia decreta de cultu imaginum § X. cap. ii. "Allata est, [inquit synodus Francofordensis] in medium quaestio de nova Graecorum synodo, quam de adorandis imaginibus Constantinopoli fecerunt, in qua scriptum habebatur, ut qui imagines sanctorum, ita ut deificam Trinitatem, servitio aut adoratione non impenderent, anathema judicarentur. Quam omnes, qui supra, sanctissimi patres nostri, omnimodis et adorationem et servitium respuentes contempserunt, atque consentientes condemnauerunt." Prodigiosam sane illam sententiam de deificandis imaginibus in Nicaenae synodi exemplari a Binio hodie exhibito non reperire me fateor: inter multa autem de adorandis imaginibus sparsim edita papam ipsum Hadrianum omnia lenientem, spontaneam enim, ne vel adversariis injuriam feram, ita introducit in epist. Adrian. ad imp. Act. 2. Ἐπεὶ μὴ ἤνοιτο ἡμῖν, ἵνα τὰς αὐτὰς εἰκόνας, καθὼς φλυαροῦσιν τινες, θεοποιήσωμεν· ὁ γὰρ μόχθος καὶ ὁ πόντος ἡμῶν, ὃν ἔχομεν εἰς τὸ πόθον τῆς Θεοῦ καὶ τῶν ἁγίων αὐτῶν ἐστίν. Καὶ καθὼς ἡ θεία γραφή ἡμῶν ἔχει, τὰς αὐτὰς εἰκόνας εἰς μνημόσυνον τῆς Θεοῦ δόξης ἡμῶν ἔχομεν, φυλάττοντες τὴν καθαρότητα τῆς πίστεως ἡμῶν. Id est, "Nam absit a nobis, ut ipsas imagines, sicut quidam garriunt, deificemus. Sed affectum et dilectionem nostram, quam in Dei amorem et sanctorum ejus habemus, omnimodo praeferimus. Et sicut divinae scripturae libros ipsas imagines ob memoriam venerationis habemus, nostrae fidei puritatem servantes." Haec ille, et alia: quae si patribus Francofordensis concilii innotuerint, videntur pro commentis censuisse, dum nihilominus imaginum condemnarunt adorationem. Sed gravem esse quaestionem ait Binius inter viros hujus seculi doctissimos, an Nicaena II. synodus a patribus Francofordensis concilii condemnata esset, an non; alii, inquit, negant, alii affirmant: fateturque illustrissimos ipsos car-

* Al. Alcuinus.

dinales Baronium atque Bellarminum condemnatam sensisse. Cum tamen istius concilii actiones non in lucem devenisse animadverteret, non abstinuit negare quid in eo actum esset adversus cultum imaginum; imo eo prorupit, ut contrarium stabilitum contendat, ipsosque Bellarminum et Baronium aliter decernentes, pluribus satagit redarguere. Proculdubio id in causa fuit quod perierunt Francofordensis synodi monumenta (et Alcuini nostri laudata adeo epistola superstita interea tanto operum suorum

volumine) quod imaginum oppugnabant adorationem. Vixissent enim et in Vaticana forte haberentur bibliotheca, si, quod Binius asserit, eandem promovissent. Me ut reprimam: nihil haecenus obvenit nobis, quo ecclesiam Anglicanam imaginum censeamus adorationem suscepisse. Vide quae a Goldasto colliguntur in citato suo libro; et quid Magdeburgenses Cent. VIII. cap. ix. et confer haec cum Binii notis ad H. Nicaen. synod. et Francoford. concil.

Epistola Caroli Magni ad Offam regem Merciorum de privilegiis Romam peregrinantibus concessis. E MS. Cod. de vita Offae regis. [Circa an. Dom. dccxcvii. Spelm. vol. I. p. 315.]

CAROLUS, gratia Dei rex Francorum et Longobardorum, et patricius Romanorum, viro venerando et fratri charissimo Offae regi Merciorum salutem. Primo gratias agimus omnipotenti Deo, de catholicae fidei sinceritate, quam in vestris laudabiliter paginis reperimus exaratam. De peregrinis vero qui pro amore Dei et salute animarum suarum, beatorum apostolorum limina desiderant adire, cum pace sine omni perturbatione vadant. Sed si aliqui non religioni servientes, sed lucrum sectantes, inveniuntur inter eos, locis opportunis statuta solvant telonia. Negotiatores quoque volumus, ut ex mandato nostro, patrocinium habeant in regno nostro legitime, etsi in aliquo loco injusta affligantur oppressione, reclamant se ad nos et nostros iudices; et plenam jubebimus inde justitiam fieri. Cognoscat quoque dilectio vestra, quod aliquam benignitatem de Dalmaticis nostris vel palliis ad singulas sedes episcopales regni vestri vel Ethelredi direximus, in elemosynam domini apostolici Adriani: deprecantes ut pro eo intercedi jubeatis, nullam habentes dubitationem, beatam illius animam in requie esse; sed ut fidem et dilectionem ostendamus in amicum nobis charissimum. Sed de thesauro humanarum rerum quem Dominus Jesus (nobis) gratuita pietate concessit, aliquid per metropolitanas civitates direximus, vestrae quoque dilectioni unum balteum et unum gladium Hunniscum, et duo pallia ferica duximus destinanda. Vale.

Nota. Videtur MS. hujus codicis auctor hanc epistolam, differat licet in aliquantulis, e

Malmesburio [De gest. reg. lib. I.] assumpsisse: qui non eam integre, sed (ut sua utar dictione) haec saltuim verba epistolae decerpens, per compendium veluti nobis reddidit. Angli vero sub hac tempestate peregrinantes Romam, gravissimis spoliis et injuriis affliguntur, non solum a Saracenis qui Alpium infidebant angustiis, sed ab aliis etiam Caroli Magni subditis, Galliam et Italiam habitantibus: de quo apud Carolum Offa querens, hoc per epistolam retulit privilegium, anno incerto. Westmonasterius (sibi non constans) eam primo ponit in anno dcccxxv. deinde, seu consultior, seu oblitus praecedentis, in dccxcvii. et utrobique eisdem pene verbis, sed utrobique data peccans aliquantulum. Ex verbis enim ipsius epistolae, scripta deprehenditur post mortem Hadriani papae, qui in vivis fuit anno dcccxxv. et in vicesimo subsequenti. In anno vero dccxcvii, non solum Hadrianus (si fastis et chronographis nostris fidem adhibuerimus) sed et ipse Offa mortuus est, utrique scilicet in anno dccxcvi. sic ut scripta videatur haec epistola sub ipso tempore quo decessit Offa, quod vicinum regem Carolum diu non latere potuit. Munera quae Carolus rex Offae misit, sic expressit et interpretatur priscus quidam.

A Carolo dona data sunt Offae, mucro, zona, Cingat ut imbelles clemens, feriatque rebelles. Pallia donantur, velut his secreta tegantur. Tyro mucrone, sed et utens munere zonae, Indomitos punit, pronos sibi necit et unit. Palliat arcana, ne signent pallia vana.

Aethelwulphus R. occidentalium Saxonum potitus Merciorum, Northumbrorum, orientalium Anglorum, et australium Saxonum regnis, Denarium (quem vocant) S. Petri eisdem imponit; et scholam Anglorum Romae incendio correptam instaurat. Ex Polyd. Virg. lib. V. [An. Dom. dcccxlvi. Ibid. p. 343.]

REX ea molestia liberatus, haud multo post Romam voti causa petivit, ubi a Leone IV. pontifice benigne acceptus, fecit Romano pontifici eam quoque insulae partem quam Ecgbertus pater ad regnum adjunxerat, vectigalem, imitatus Inam, id quod supra memoravimus: legeque sancivit, ut qui ex suis possessionibus,

triginta denariorum vectigal in singulos annos caperent, aut plures domos haberent, pro iis, quas habitarent, singuli singulos denarios quotannis Romano pontifici, ad diem festum apostolorum Petri et Pauli, vel summum, ad Vincula Petri solverent. Quam legem quidam, licet falso, Aluredo ejus filio assignant. Fuit

is

is annus salutis humanae DCCCXLVII.

Idem fertur instaurasse Romae scholam quandam primo ab Offa Merciorum rege conditam, et paulo ante ejus adventum in urbem, incendio fere consumptam. Ipsam autem scholam, ubi Romae Angli duntaxat manebant, bonisque artibus operam dabant, eo loci fuisse opinor, quo postea hospitalis domus divo Thomae dedicata posita est, ad quam Angli homines receptum habent. Rex Ethelwulphus moratus est Romae majorem anni partem: postea domum reversus, non modo se clementem prin-

cipem, sed optimum parentem omnibus suis praebuit, ut qui cuncta ad honesti cultum, modestiamque referebat.

Nota. Errat sine dubio Polydorus, seu quis alius in anno istis designando. Haec enim facta refert dum Aethelwulphus Romae versabatur, quod Wigornensis et clariores alii historiographi etiam et ipsius Aethelwulphi charta sub anno statuunt DCCCLV. imo Florilegus DCCCLVII. et surrepsit hic forte numerus DCCCXLVII. pro DCCCLVII.

Cur variores nunc et posthac synodi in ecclesia Britannica. [Spelm. vol. I. p. 353.]

JAM ad funestissima illa tempora pervenimus, in quibus Danorum eluvies per Angliam universam grassata; urbes, oppida, castra, monasteria, ipsas ecclesias, populumque Dei, et sacrum ministerium ferro et face erasit; conculcatis una, quae non solum ad regni reipublicaeque spectabant habitum, sed literarum et religionis scientiam: hinc truncato foedissime sancto archipraefule, illinc in latebras adaeto rege piissimo. Abiit igitur in desuetudinem rei ipsius sacrae administratio publica; silent leges, et per annos plurimos relegatur conciliorum usus et synodorum; donec rex fortissimus Alure-

dus tanquam leo rugiens, et e latibulis proruens, "percussit inimicos suos in posteriora, opprobriumque sempiternum dedit illis." Triumphatis enim eorum aliis et fugatis; aliis vero victas manus porrigentibus: hos in deditionem suscepit, illos patriis abactos sedibus Angliae compulit valedicere. Redeunt tamen post dies ejus, novisque semper inhiantes moliminibus, miseram insulam (una et ecclesiam) usque ad Confessoris seculum laniant et diripiunt, ecclesiasticam politiam impediunt saepius, et saepius subvertentes.

Martinus papa Alfredi regis precibus scholam Anglorum Romae liberam facit a tributo. [Circa ann. Dom. DCCCLXXXIII. Ibidem p. 354.]

DESIDERATUR bulla privilegii, de eo autem sic Hovedenus. "Anno DCCCLXXXIII. Martinus papa scholam Saxonum (nostratum) in Roma morantium, pro amore et deprecatione regis Alfredi, ab omni tributo et telone liberavit benigne. Qui etiam Martinus multa dona praedicto regi transmisit, inter quae dedit ei non parvam illius sanctae crucis partem, in qua filius Dei pro salute hominum pependit."

Idem Florilegus, sed scholam Anglorum dicit; et addit ut sequitur. "Eodem anno defuncto Afferio Shireburnensi antistite Suithelmus successit. Hic regis Aelfredi eleemosynam ad sanctum apostolum Thomam in Indiam deferens, indeque prospere rediens, multos regi pretiosos lapides reportavit." V. Affer. Meneven. in ann. DCCCLXXXIV. et Matt. Westmon. eo anno.

Antiqua versio Aluredi M. legum juxta regii codicis et Jornalensis MSS. exemplaria. [Ibidem p. 371. seqq.]

Jornalensem autem hic secuti sumus, quod capitulum titulos exhibet qui in regio desiderantur: regii tamen varietates in fine paginae annotavimus.

CAP. I. De juramentis et vadiis. Ll. Sax.
CAP. I. et Jorn. CAP. I.

INPRIMIS, quod maxime necessarium est, cuicunque fidelium, fidem et juramentum suum, multa, ut convenit, observantia custodire. Si quis tamen ad alterutrum cogatur injuste, vel ad prodicionem domini, vel injustum aliquod adjutorium: rectius est hoc e mentiri quam implere. Si quis autem vadiet quod fieri justum sit, et transgrediatur, committat arma sua et pecuniam amicis suis in custodiam, et sit quadraginta noctibus in carcere ad mansionem regiam, et poeniteat ibi secundum jussionem episcopi sui, et parentes ejus pascant eum, si ipse victum non habeat. Si parentes non habeat, aut ci-

bum, praepositus regis procuret eum, et si cogi oporteat, et aliter nolit, si ligetur, perdet arma sua cum tota pecunia sua. Si occidatur, inultus jaceat. Si aufugerit ante terminum, et iterum capiatur, sit quadraginta noctibus in carcere, ut ante debuerat. Si amittatur, sit forbannitus, et excommunicatus ab omnibus Christi ecclesiis. Si tunc aliquis plegius interfit, emendat infractionem plegii, sicut rectum edocebit, et infracturam vadii secundum poenitentiae censuram.

CAP. II. De confugio ad ecclesiam. Ll. Sax.
CAP. II. Jorn. II.

Si quis ad ecclesiae mansionem pro quacunque culpa confugiat, quae ad firmam regis

^a non

^a non pertineat, vel alterius liberae familiae quae honorabilis sit: habeat ^b trium noctium terminum cavendi sibi, nisi reconciliari quaesierit. Si quis ^c in hunc terminum malignaverit ^d eum, vinculis aut verberibus, emendet singulum eorum rectitudinem patriae, were, wita, et ecclesiae ministris centum viginti solidos, pro infractione pacis.

CAP. III. *De infractione plegii regis [vel episcopi]* Ll. Sax. CAP. III. Jorn. III.

Si quis plegium regis infringat, emendet inculpationem, sicut rectum est, et infractionem plegii quinque libris Merciorum denariorum. Archiepiscopi Borhbrice sive Mundbrice emendetur III. lib. aliorum episcoporum vel comitum II. lib.

CAP. IV. *De pace ecclesiarum, et earum libertate.* Ll. Sax. CAP. V. Jorn. V.

Item statuimus omni ecclesiae dedicatae, pacem habeat. Si quis factiosus incurrat vel ad eam confugiat, nullus eum septem diebus contingat vel extrahat. Si quis hoc praesumat, culpabilis sit infractionis regiae pacis et ecclesiae, et amplius, si forisfaciat amplius: si pro fame vivere possit, si non, ^e vi praelietur. Si aeditui magis opus habeant ^f ecclesiae suae, custodiant eum in alia domo quae non habeat plura ostia quam ecclesia, et caveat ipsius ecclesiae senior ne interim reum pascant. Si inimicis suis arma sua reddiderit, et se dederit, fervetur xxx. noctibus, et parentibus et amicis suis ^g offeratur.

Item qui ad ecclesiam confugiet pro quacunque culpa quae non propalata sit, et eam in nomine Domini gratis ^h confitetur, dimidium forisfacti condonetur ei.

CAP. V. *De furtis die festo.* Ll. Sax. CA. VI. Jorn. VI.

Qui furatur die Dominica vel in sancto Natali, vel in Pascha, vel ⁱ in ascensione Domini, in quolibet eorum volumus dupliciter emendandum sit, sicut in quadragesimali jejunio.

CAP. VI. *De furatis in ecclesia.* Ll. Sax. CA. VI. Jorn. VII.

Si quis in ecclesia furetur aliquid, restituat hoc semel, et forisfactum sicut ad angildum pertinet: et amputetur ei manus de qua furatus [est.] Si manum redimere velit, et hoc ei permittatur, componat sicut ad weram ejus pertinebit.

CAP. VII. *De ducente sanctimoniam ab ecclesia.* Ll. Sax. CA. VIII. Jorn. IX.

Si quis sanctimoniam ab ecclesia duxerit, sine licentia regis aut episcopi, det centum viginti solidos, dimidium regi, dimidium episcopo, et ipsius ecclesiae domino cujus monacha fuit. Si ipsa diutius vivat quam qui eam abduxit, nihil de pecunia ejus habeat. Si infan-

tem procreaverint, nihil inde habeat infans, sicut nec mater ejus. Si puer eorum occidatur, habeat partem rex maternae cognationis, parentes patris partem suam habeant.

CAP. VIII. *De sponsa fornicata.* Ll. Sax. CA. X. Jorn. XII.

Si quis fornicetur cum uxore hominis ^k twelfhendes emendet ipse marito 120. sol. homini ^l sexhindo 100. sol. ^m cyrlisco 60. sol. emendet et hoc in viventi ⁿ capitali componatur, et nemo vendatur pro eo.

CAP. IX. *De injuria cyrliscae foeminae.* Ll. Sax. CA. XI. Jorn. XIII.

Si qui ^o cyrliscae foeminae pectus apprehendat, 5. sol. emendetur ei. Si supinet eam, nec tamen concumbat cum ea, 10. sol. emendet. Si concubuerit, 60. sol. emendet ei. Si aliquis cum ea jacuit antea, sit emendatio medietas hoc. Si accusetur inde ^p adlegiet se per 60. hidas, vel dimidium emendationis amittat. Si hoc in nobilius oriunda muliere contigerit, crescat emendatio sicut ejus natalis ingenuitas erat.

CAP. X. *De illis qui pugnant coram archiepiscopo.* Ll. Sax. CA. XV. Jorn. XVII.

Si quis coram archiepiscopo pugnet, vel arma extrahat, emendet 130. sol. Si coram alio episcopo vel aldermanno faciat, 120. sol. emendetur.

CAP. XI. *De apprehensione nunnae.* Ll. Sax. CA. XVIII. Jorn. XX.

Si quis nunnam causa fornicationis, in vestes aut in sinum sine licentia comprehendat, sit hoc duplo emendabile, sicut ante simpliciter de laica decrevimus.

CAP. XII. *De pecunia commissa monacho.* Ll. Sax. CA. XX. Jorn. XXIII.

Si quis alterius monacho pecuniam commendavit sine licentia domini ipsius monachi, et amittatur, nihil inde recipiat qui commisit ei.

CAP. XIII. *De presbytero homicida.* Ll. Sax. CA. XXI. Jorn. XXIV.

Si presbyter hominem occidat, capiatur totum unde sibi mansionem emerat: et exordinet eum episcopus, et ab ecclesia reddatur, nisi dominus suus componere velit weram ejus.

CAP. XIV. *De violento concubitu foeminae villanae.* Ll. Sax. CA. XXV. Jorn. XXVIII.

Si quis ceorles mancipium ad violentum concubitum comminetur, emendet ipsi ceorlo, i. rustico 5 s. et 60 s. witae.

CAP. XV. *De servo qui servam violenter cogat.* Ll. Sax. CA. XXV. Jorn. XXIX.

Si servus servam cogat ad violentiam perferendam, castretur.

^a Abest non in Reg. Cod. ^b tres noctes R. ^c infra R. ^d ei R. ^e inde praelietur R. ^f ecclesiam suam R.
^g interim offeratur R. ^h nondum propalata confitebitur R. ⁱ in sancta die Jovis in Ascensione R. ^k qui 1200.
^l aestimatur R. ^m qui 600s. R. ⁿ pagano R. ^o pechde R. ^p paganae R. ^q purget R.

CAP. XVI. *De (Dei) plegio violato.* Ll. Sax. CA. XXIX. Jorn. XXXVI.

Si quis alii Dei plegium intentet [id est, eum criminetur qui Deo se obstrinxerit in famulatum] et compellare velit quod ei aliquod eorum non compleverit, ^a perjuret hoc in quatuor ecclesiis; et si alius se purgare velit, in duodecim ecclesiis hoc faciat.

CAP. XVII. *De fractura borgi regis, vel archiepiscopi.* Ll. Sax. CA. XXXVI. Jorn. XLIV.

Regis burghbreche [i. pacis in regio burgo violatio] est centum viginti sol. [in burgo] archiepiscopi 90. sol. episcopi et aldermanni quem Latine comitem vel seniore[m] dicunt, 60. sol. twelfhindi [i. ejus qui 1200. solidi aestimatur] 30. sol. sexhindi hominis 15. sol.

CAP. XVIII. *De fractione sepi rustici.* Ll. Sax. CA. XXXVI. Jorn. XLV.

Ceorli ederbrece, id est, rustici sepi fractio, 5. sol. emendetur. Si horum aliquid eveniat quando exercitus foris est, vel in quadragesi-

mali jejunio, sit dupliciter emendandum.

CAP. XIX. *De velo in Quadragesima injuste deposito.* Ll. Sax. CA. XXXVI. Jorn. XLVI.

Si quis in Quadragesima sanctum velum in populo sine recto deponat, emendet 120. sol.

CAP. XX. *De festivitatum observatione.* Ll. Sax. CA. XXXIX. Jorn. L.

Omnibus liberis hominibus dies isti condonati sunt, praeter servos et pauperes operarios: xii. dies in sancto natali Domini, et dies in qua Dominus Jesus de diabolo triumphavit: et sancti Gregorii memorialis dies, et septem dies in Pascha, et septem supra; et unus dies in festo apostolorum Petri et Pauli: et in Augusto plena ebdomada ante festum sanctae Mariae, et in Omnium Sanctorum veneratione i. dies, et quatuor dies Mercurii in iv. legitimis jejuniis servis omnibus indulti sunt dare cui magis voluerint; vel qui eis pro nomine Domini, aliquid benefecerit, vel ipsi deservire potuerint in aliqua portione vicis suae.

^a praejuret: in Saxonico agýpe þone þoneap.

^r Male instructura R.

^s beatorum beatae R.

Anglosaxonum eleemosyna Romam mittitur. [Spelm. vol. I. p. 374. seq.]

Hoc anno, viz. DCCCLXXXVII. Aethelhelm comes Wiltunensium Aelfridi regis et Anglosaxonum eleemosynam Romam duxit: verba sunt Asserii episcopi Menevensis, qui hoc tempore floruit, Aluredo intimus et a consiliis. De nummo autem loquitur quem Denarium S. Petri vocant: et nota eum hunc non tributum appellare, ut Polydorus et Romani alii, sed eleemosynam: beatum apostolum secutus qui Corinthiorum similem, λογίαν vocat, et [†] χάριν, collectam scilicet atque gratiam sive liberalitatem.

Nota. Praeter has quas exhibuimus Aluredi leges, alias etiam condidit ad ecclesiam pertinentes, cum Guthurnum, Danorum regem victum et ad fidem ductum e sacro fonte in filium adoptivum suscepisset. Non habentur autem in ea foederis parte quam ab eis pactam Lambardus edidit, sed in alio foedere quod cum eodem Guthurno iniit rex Edwardus, Aluredi filius, recitantur integre et confirmantur. Ibidem igitur (A. D. DCCCcv.) eas cum Saxonico exemplari, vol. I. pag. 202. seqq. quare et intueri interea vetustam illarum versionem e Jornalensi MS. in Latinum datam.

Leges ecclesiasticae ab Aluredo M. rege Anglorum, et Guthurno rege Anglodanorum in concilio quo foedus inierunt sancitae. Ex Historia Jornalensi MS. [Ibidem p. 375. seqq.]

Hoc est concilium quod Aluredus rex et Godrun rex elegerunt et condixerunt, quum Angli et Dani ad pacem et concordiam plene convenerunt, et sapientes et qui postea successerunt, saepius hoc et assidue renovantes, in bonum semper adduxerunt.

CAP. I. *De dilectione Dei et pace ecclesiae.* Ll. Sax. CAP. I.

Inprimis est ut unum Deum diligere velint, et omni paganismo sedulo renunciare. Et instituerunt secularem justitiam pro eo quod sciebant, quod non poterant multi aliter castigari, plures vero nolebant ad Dei cultum, sicut de-

berent, aliter inclinare. Et secularem emendationem instituerunt communem Christo et regi, ubicunque recusabitur lex Dei, juste servari secundum dictionem episcopi. Et hoc est primum edictum ecclesiae pax inter parietes suos, et regis ^s Hangrid semper inconvulsa permaneat.

CAP. II. *De negligentibus legem Christi, et paganismum venerantibus.* Ll. Sax. CAP. II.

Si quis christianitatem suam male mutat, ut paganismum veneretur verbis vel operibus, reddat sic weram, sic witam, sic lathlite secundum quod factum sit,

^a L. handgryp.

CAP. III. *De ordinatis male viventibus.* Ll. Sax. CAP. III.

Et si quis ordinatus furetur, vel praelietur, vel perjuret, vel fornicetur, emendet sicut factum erit sic weram, sic witam, sic lashlite, et erga Deum saltem emendet juxta sanctorum canonum doctrinam, et plegium faciat inde, vel mittatur in carcerem.

CAP. IV. *De presbyteris falso pronunciantibus festum vel jejunium.* Ll. Sax. CAP. III.

Et si presbyter populum suum misdoceat de festo vel jejunio, reddat 30. sol. cum Anglis et cum Dacis 3. dimid. marcas.

CAP. V. *De presbyteris rectis terminis chrisma non perquirentibus, vel baptismum negantibus.* Ll. Sax. CAP. III.

Si presbyter ad rectum terminum sanctum chrisma non perquirat, vel baptismum perneget ei cui necesse sit, reddat witam cum Anglis, et cum Dacis lashlite, i. xii. horis. Et de siblegereis sapientes instituerunt, ut rex habeat superiorem, et episcopus inferiorem, nisi dignus emendetur pro Deo et pro seculo juxta modum facti, sicut episcopus docebit.

CAP. VI. *De fratribus vel cognatis in una fornicantibus.* Ll. Sax. CAP. IV.

Si duo fratres vel duo cognati cum una aliqua fornicentur, emendent in omni mansuetudine, sicut eis permittetur, sit wita, sit lashlite, secundum modum facti.

CAP. VII. *De ordinato qui vitam forisfaciat.*

Et si ordinatus homo se forisfaciat, in morte plectendus actibus exsuperetur, et episcopi iudicio reservetur.

CAP. VIII. *De reo mortis qui confiteri desiderat sacerdoti.* Ll. Sax. CAP. V.

Et si quis reus mortis profiteri desideret sacerdoti, nunquam negetur ei, et omnes rectitudines Dei pacificentur sedulo per Dei misericordiam, et per witam quam sapientes addicent.

CAP. IX. *De decimis Dei retentis, et aliis ecclesiae rectitudinibus.* Ll. Sax. CAP. VI.

Et si quis decimam contrateneat, reddat lashlite cum Dacis, witam cum Anglis. Si quis Romfeih superteneat, reddat lashlite cum Dacis, witam cum Anglis. Si quis non reddat symbolum luminis, reddat lashlite cum Dacis, witam cum Anglis. Si quis Dei rectitudines aliquas disforciet, reddat lashlite cum Dacis, witam cum Anglis. Si contra stet ut hominem vulneret, * de wita componat. Si aliquem dejiciat in mortem, sit uthlaga ut exlex, et persequatur eum cum clamore omnis qui rectum amat. Et si faciat ut occidatur pro eo quod contra rectum, et regis imperium stet, si hoc probetur, jaceat egilde.

CAP. X. *De illis qui mercandis diebus dominicis.* Ll. Sax. CAP. VII.

Si quis in die dominica negotiationem facere praesumat, perdat ipsum capitale et 12. oras cum Dacis, et 30. sol. cum Anglis.

CAP. XI. *De operantibus diebus dominicis.* Ll. Sax. CAP. VII.

Si liber diebus festis operetur, perdat libertatem suam, witam vel lashlite, servus corium perdat vel hidgildum. Si dominus servum suum cogat festis diebus operari, reddat idem dominus lashlite cum Dacis, et witam cum Anglis.

CAP. XII. *De jejuniis infractis.* Ll. Sax. CAP. VIII.

Si liber homo rectum jejunium frangat, reddat witam vel lashlite, si servus hoc faciat, perdat corium suum vel hidgildum.

CAP. XIII. *De diebus in quibus ordalium et jusjurandum probibeantur.* Ll. Sax. CAP. IX.

Ordalium et jusjurandum festis diebus et legitimis jejuniis legibus est interdictum. Et qui hoc fregerit, reddat lashlite cum Dacis, witam cum Anglis.

CAP. XIV. *Ne die dominica homo forisfactus occidatur.* Ll. Sax. CAP. X.

Si fieri possit nunquam occidatur aliquis in festo dominicae diei, quicquid peccaverit, sed capiatur et fervetur donec transeat festa dies.

CAP. XV.

Si quis forisfactus et de membris disfactus dimittatur, et idem post afflictionem per quatuor noctes vivat, potest ei deinceps per episcopi licentiam subveniri, si quis ejus doloribus et animae condescendat.

CAP. XVI. *De sortilegis, incantatoribus, veneficis, perjuris, et his similibus.* Ll. Sax. CAP. XI.

Si sortilegae vel incantatrices, perjuri et venefici, foedae, foetidae, vel meretrices alicubi compareant, relegentur de patria, desperent omnia, nisi cessent, et profundius emendent.

CAP. XVII. *De ordinatis vel alienigenis in aliquid de pecunia vel vita seductis.* Ll. Sax. CAP. XII.

Si ordinatus vel alienigena seducatur in aliquo de pecunia, vel vita, tunc debet ei adesse rex vel comes illius terrae, et episcopus gentis illius pro cognatione et advocato, si penitus alium non habeat, et emendet sedulo juxta modum facti, Christo et regi, sicut docebit, vel illud factum profunde nimis vindicet, qui Rex sit in populo.

* Credo legendum de vita componat. Nam in Anglosax. est beo hyr reonher rcylbig.

Nota. De tempore non liquet quo sanxisse censeantur leges illas alias, quas supra dedimus, Aluredus et Guthurnus. Certum est, post i-ctum inter eos foedus (quod Wigornensis refert ad A. D. DCCCLXXVI. Afferius ad DCCCLXXVII. Huntingtonius ad annum DCCCLXXVIII.) et verisimillimum est, post priores illas ab Aluredo solo editas, tum quod Aluredi illae nullam de Danis mentionem faciunt, tum etiam quod in vetustis legum Saxonicarum exemplaribus istae illas subsequuntur.

Erat autem Guthurnus (alias Godrun, Guthrum, et Gythurnus) rex Danicus, quem bello victum ad fidem convertit Aluredus, susceptoque e sacro fonte, Aethelstani nomen imposuit: et tanquam in filium adoptato, eximiam regni sui partem, provincias scil. orientalium Anglorum et Northumbrensiū, quae singulis olim gaudebant regibus, jure feudali et haereditario possidendas cessit. In condendis igitur

istis legibus Guthurnum sibi ascivit socium, ne valere minus viderentur, cum ad Anglos utriusque regni, tum ad Danos ipsos adventitios obligandos.

Miraberis autem nec immerito, qua humanitatis praerogativa insignis hic princeps, qui sexies supra quinquaginta vicibus terra marique adversus Danos dimicasse fertur: subcivitas tot horas, imo tantam vitae portionem in legendo, scribendo, et transferendo consumpsit: ea praesertim tempestate qua literarum et religionis lumen propemodum exstingueretur: et nihil ab episcopis Anglosaxonibus per annos plurimos actum vel consultum deprehendimus in rem ecclesiae. Attende quid de mutis his lustris ipse praedicavit Aluredus in praefatione sua ad librum Pastoralem S. Gregorii, quem e Latino in vulgare Saxonicum, ut ab episcopis et sacerdotibus legeretur, transulit, viz.

Epistola regis Aluredi M. ad Wulfugium episcopum, praefationis vice in Pastorem S. Gregorii praefixa, in qua miseram ecclesiasticorum illius aetatis inscitiam arguit et luget. [Spelm. vol. I. p. 379. seqq.]

AELFRIDUS rex optat salutem Wulfugio episcopo dignissimo benevole et amanter. Et te scire volo, quod mihi saepenumero in mentem venit, quales sapientes abhinc extiterunt in Anglica gente, tam de spirituali gradu, quam de temporali, quamque felicia tum tempora fuerunt inter omnes Angliae populos, quemadmodumque reges, qui tunc gubernationem habebant plebis, Deo et ejus voluntati scriptae obsecundarint, utque in sua pace, et bellicis suis expeditionibus, atque regimine domestico, domi se semper tutati fuerint, atque etiam foris nobilitatem suam dilataverint, quomodoque tunc temporis tam sapientia, quam prudentia floruerint. Praeterea de gradu spirituali homines quam diligentes fuerint tam docendo, quam discendo, omnibusque officiis exequendis, quae Deo praestare debebant. Insuper quemadmodum extranei sapientiam et doctrinam hic in hac nostra terra quondam quaesierint: nosque jam (versa vice) peregrinari oportet ad eam adipiscendam, adeo funditus concidit apud gentem Anglicanam, ut paucissimi fuerint cis Humbrum, qui vel preces suas communes in sermone Anglico intelligere potuerant, vel scriptum aliquod e Latino in Anglicum transferre. Tam sane pauci fuerunt, ut ne unum quidem recordari possim ex australi parte Thamesis, tum cum ego regnare occoeperam. Gratiae Deo omnipotenti sint, quod nunc tandem aliqui in sede sint, qui docere queunt. Quamobrem te jubeo ut facias, quemadmodum te facturum credo, nimirum ut tu, qui mundana haec illis profundis quam potes saepe, eam sapientiam, quam tibi Deus largitus est, illis ubicunque poteris, vicissim impertias. Cogita, quales poenae super nos tandem venturae sunt propter hunc mundum, cum neque nosmetipsi sapientiam adamaverimus, neque eam aliis reliquerimus. Nomina tantum diligimus, quia christiani nuncupamur, paucissimi vero officiis christi-

stianorum defungimur. Haec omnia, quoties in memoriam revoco, subit etiam cogitatio, quemadmodum cuncta hic in Anglia viderim, priusquam deleta fuissent omnia et incensa, utpote templa per omnem Anglicanam gentem steterint ornamenti et libris instructa, magnaue insuper multitudine fervorum Dei repleta. Quamvis certe fructum perexiguum ex libris suis perceperint, quandoquidem intelligere illos nequibant, eo quod patrio sermone neutiquam conscriberentur. Qui quidem hac oratione usi sunt.

Majores nostri, qui haec quondam loca obtinuerunt, sapientiam adamaverunt, et per illam opes sibi confluxerunt, nobisque reliquerunt. Quorum sapientiae impressam nos veluti orbitam vidimus, sed eam adipisci non potuimus. Nam et opes et sapientiam plane perdidimus, quoniam ingenii nervos omnes ad ejus contemplationem contendere nolimus. Cum igitur haec omnia cogitatione complecterer, magnopere admirabar praeclaros illos sapientes, qui diu abhinc per universam gentem Anglicanam flourerant, atque illos libros penitus omnes perdidicerunt, quamobrem noluerunt horum partem aliquam in patrium sermonem transferre. Veruntamen protinus mihimetipsi respondebam, videlicet, quod majores illi nostri neutiquam opinati sunt, homines unquam adeo socordes futuros, aut rem literariam in tantum unquam prolapsuram: ideoque consulto id omisisse, existimantes eo uberiores hac in terra sapientiam futuram, quo plures a nostris linguae pernoscerentur. Tum vero venit mihi in mentem, legem Dei primum in Hebraeo sermone fuisse inventam, atque postea Graecos, cum eandem didicissent, eam universam, et alios insuper omnes libros in suam linguam vertisse, necnon Latinos etiam, quamprimum ipsi eam intelligentia comprehendissent, per prudentes interpretes suo sermone eandem expressisse: eodem-

que

que modo omnem undique christianam plebem partem ejus aliquam in linguam domesticam transtulisse. Quapropter optimum cenſeo (ſi tu quoque ſic exiſtimas) ut nos libros aliquos, quos maxime neceſſarios arbitramur, qui ab omnibus intelligantur, eoſdem in linguam, quam omnes intelligunt, convertamus: efficiamusque (quod certe ope divina per facile poterimus, ſi pace perfruamur) ut omnis juvenus, quae nunc eſt gentis Anglicae (eorum praefertim hominum, qui liberi nati ſunt, opesque habent, quibus eos ad id alere poſſunt) literis addiſcendis addicatur: utque prius artem nullam imbibant, quam Anglica potuerint ſcripta perlegere. Poſtea autem homines in Latinis literis eos inſtituant, quos volunt amplius erudire, atque ad altiorem gradum provehere. Cum itaque mecum conſiderabam, quomodo iſthaec doctrina ſermonis Latini, per omnem gentem Anglicanam antehac obſoleviſſet, quamvis plurimi poſſent Anglica ſcripta legere, tum inter alia varia ac multiplicia negotia hujus regni, coepi librum hunc vertere in ſermonem Anglicanum: qui Latine Paſtoralis nuncupatur, Anglice vero "the Heardmans book," aliquando verbum de verbo exprimens, interdum autem ſenſum ex ſenſu, ſicuti egomet ſea didiceram a Pleimundo archiepiſcopo meo, et Aſſero antiſtite meo, necnon Grimbaldo, et Johanne mihi a ſacris. A quibus poſteaquam librum ita didiciſſem, ut penitus perciperem, quemadmodum facillime ad ejus intelligentiam pervenire poſſem, in An-

glicum ſermonem eum converti, et ad unamquamque epiſcopi ſedem in regno unum miſi, ſuperque ſingulos libros ſtilum, qui eſt quinquaginta mancuſſae. Et ego praecipio in Dei nomine, ne quis de libris hunc ſtilum tollat, neque librum de templo, incertum cum ſit, quamdiu futuri ſunt tales eruditi praefules, quales nunc (honor Deo) ubique ſint. Quapropter volo, ut libri ſuis ſemper in locis remaneant, niſi illos pontifex habere voluerit, aut commodatos alicui dederit, donec alii ex illis deſcribantur.

Liber loquitur.

Hoc ſcriptum Auguſtinus trans ſalsum mare ab auctro ad incolas hujus regni pertulit: ſicut illud antea praeparaverat ſervus Domini papa Romanus, rectus vicarius gubernans, Gregorius, conſideratae vir fortitudinis abſque furore, ſummo ſenſu, ſapientia, conſilio praeditus, immenſus theſaurus, quoniam is generis humani partem maximam caelo lucrificat: Romanorum vir optimus, mentis magnitudine abundantiffimus, majeſtate liberrimus. Poſtquam me in Anglicum ſermonem Aelfredus rex convertiſſet ad verbum, me per auctrum et aquilonem ſuis ſcriptoribus delegavit, mandans illis, uti ſecundum exemplar plures tales deſcriberent, eum nimirum in finem, quo epiſcopis ſuis illos mittere poſſet. Quandoquidem quibuſdam ex ſuis antiſtitibus perneceſſarii eſſent futuri, qui linguam Latinam minus intelligerent.

Legum eccleſiaſticarum Aethelſtani regis priſca verſio juxta codices MSS. regium et Fornalenſem, multa, quae in Saxonico deſiderantur exemplari, proferentes, ac ſeorſim alias diſcrepantes. [Circa ann. Dom. DCCCCXXVIII. Ex Spelm. vol. I. p. 401. ſeqq.]

Nos autem Fornalenſem praefertim ſecuti, variationes regii codicis, in imo paginae annotavimus. Primis etiam tribus capitulis quae in omni exemplari ſatis referuntur indiſcreta et ſine titulis, nos, ut vides, titulos poſuimus.

CAP. I. De decimis ſolicite reddendis tam ex animalibus, quam e fructibus terrae.

EGO Aethelſtanus rex conſilio Wlſelmi archiepiſcopi mei, et aliorum epiſcoporum meorum mando praepoſitis meis omnibus in toto regno meo, et praecipio in nomine Domini et ſanctorum omnium, et ſuper amicitiam meam, ut inprimis de meo proprio reddant Deo decimas, tam in viventi capitali, quam mortuis frugibus terrae. Et epiſcopi mei ſimiliter faciant de ſuo proprio, et aldermanni mei, et praepoſiti mei. Et volo ut epiſcopi et praepoſiti mei hoc indicent omnibus qui eis parere debent: et haec ad terminum expleant quem eis ponimus, id eſt, decollatio S. Johannis Baптиſtae.

Cogitemus quid Jacobus pater dixit Deo: "Decimas et hoſtias pacificas offeram tibi." Et Dominus [ipſe] dicit in Evangelio: "Omni habenti dabitur et abundabit." Recolendum

quoque nobis eſt, quam terribiliter in libris poſitum eſt: "Si decimam dare nolumus, ut auferantur nobis" [novem partes] et decima ſola relinquatur.

CAP. II. De cenſu eccleſiae quem ciricsceattum vocabant Saxones, noſtrates primitias ſeminum.

Et volo ut ciricsceatta reddantur ad illum locum cui recte pertinent, et inde gaudeant in ipſis locis qui haec dignius erga Deum et nos volunt deſervire. Hortatur nos ſermo divinus: "Aeterna cum terrenis, caeleſtia cum caducis promereri." Nunc auditis quid in Deo praecipiam, et quid complere debeatis. Facite etiam ut mihi mea propria cupiatis, quae mihi recte poteritis acquirere. Nolo aliquid injuſte mihi conquiratis. Sed omnia veſtra concedo vobis eo tenore quo mihi mea ſimiliter exoptetis. Cavete ſimul et vobis et eis quos admonere debetis, ab ira Dei et transgreſſione mea.

CAP. III. *Ut singuli regis praepositi singulos alant pauperes, et servum manumittant.* MS. Jorn.

Ego Adelstanus rex notifico praepositis meis omnibus in regno meo, quod consilio Wulfelmi archiepiscopi mei, et omnium episcoporum meorum et Dei ministrorum, ad remissionem peccatorum meorum, et acquisitionem vitae aeternae, volo ut pascatis omni via pauperem unum Anglicum indigentem, si sit ibi, vel alium inveniatis. De duabus^a niht firmis detur eis singulis mensibus ambra plena farinae, et una perna, vel unus aries qui valeat quatuor denarios, et casei quatuor: et in tertia die Paschae triginta denarii ad vestitum duodecim mensium unoquoque anno: et liberetis^b unum^c pite^d ðeopne, id est, forisfactum servum. Et hoc totum peragatur in misericordia Dei, et amicitia mea sub testimonio episcopi in cujus episcopatu sit. Et si praepositus hoc superteneat, emendet 30. sol.^d et dividatur haec pecunia per testimonium episcopi pauperioribus qui in ipsa villa erunt ubi hoc non fuit executum.

CAP. IV. *De infracturis ecclesiarum.* Ll. Sax. CA. V. Jorn. CA. X.

Et de infracturis ecclesiarum, si quis reus appareat in triplici ordalio, emendetur sicut judicialis liber dicit.

CAP. V. *De sagis, veneficis, etc.* Ll. Sax. CA. VI. Jorn. CA. XI.

Decrevimus etiam de fortilegis, et liblakis, et^e sortem dantibus, si hominem occidant et negare non possint, vitae suae culpa judicentur. Si pernegare velint, et in triplici ordalio culpabiles inveniantur, sint centum viginti noctibus in carcere, et cognatio earum educat eas, et emendetur regi centum viginti sol. et occisum hominem reddant parentibus suis, et eant eis in plegium quod super his abstineant in aeternum.

CAP. VI. *De monetariis et cuforibus.* Ll. Sax. CA. XIV. Jorn. CA. XX.

Placuit nobis ut una moneta sit in toto regni imperio, et nullus^f monetet extra portam. Si monetarius reus fuerit, amputetur ei manus, et ponatur sub^g monetae fabricam, si inculpatio sit, et se purgare velit, eat ad ferrum calidum, et adlegiet manum ad^h caniferam quod non falsum fecit. Si in ordalio reus fuerit, fiat ei quod supradictum est. In Cantuaria sunt octo monetarii regis, quatuor episcopi, tres abbatis: et in Roucestria tres regis, duo episcopi; in London. octo, in Winton. sex, in Lewes duo, in Hastingecestria unus, in Scheastbury duo, in Oxonia duo, et in aliis burgis.

CAP. VII. *De praeparatione aggredientis ordalium.* Ll. Sax. XXIII. Jor. CA. XXXI.

Si quis iudicium ferri vel aquae vadiaverit, accedat ante tribus noctibus ad presbyterum qui sanctificare debet eum, et pascat se pane, et sale, et aqua, et herbis, et audiat missas ipsorum singulorum trium dierum et offerat, et eat ad sacrosanctam communionem ipsa die qua ordalium examinari debet: et juret quod jure publico sit innocens illius accusationis antequam ad ordalium veniat. Et si iudicium aquae frigidae sit, tunc mergatur una ulna et dimidia in fune. Si ferrum calidum sit, tres noctes transeant antequam inquiratur, et videatur manus ejus, et prosequatur omnis homo compellationem suam prae juramento, sicut supradictum est, et sint uterque jejuni ex praecepto Dei et archiepiscopi; et non sint in alterutra parte amplius quam in alia: et hoc sit utrobique duodecim homines. Si autem accusatus homo majorem defensionem habeat, quam duodecim hominum: sit ipsum ordalium fractum in eo, nisi recedere velint ab illo.

CAP. VIII. *De forma ordalii celebrandi.* E. MS. reg. Vid. Antiq. Britan. p. 101.

De ordalio praecipimus in nomine Dei, et praecepto archiepiscopi, et omnium episcoporum meorum, ne aliquis intret ecclesiam postquam ignis infertur unde iudicium calefacere debet, praeter presbyterum et eum qui ad iudicium iturus est. Et sint mensurati novem pedes a staca usque ad mercam, ad mensuram pedum ejus qui ad iudicium ire debet. Et si aquae iudicium sit, calefaciat donec excitetur ad bullitum, et sit alterum ferreum, vel aereum, vel plumbeum, vel de argilla, et si anŷealtⁱ tȳhla sit, immergatur manus post lapidem [V. Marculf. Form. pag. 1307.] vel examen usque ad pnyrte, et si triplex accusatio sit, usque ad cubitum. Et quando iudicium paratum erit, ingrediantur ex utraque parte duo homines, et certi sint, ut ita calidum sit, sicut praediximus, et introeant totidem ex amba parte, et consistant ex utraque parte iudicii de longo ecclesiae, et sint omnes jejuni, et ab uxoribus suis se continuerint ipsa nocte, et aspergat presbyter aquam benedictam super eos omnes, et humili-ent se singuli ad aquam benedictam, et det eis omnibus osculari textum sancti evangelii, et signum sanctae crucis. Et nemo faciat ignem diutius quam benedictio incipiat, sed jaceat ferrum super carbones usque ad ultimam collectam, postea mittatur super staplas, et non sit illic alia locutio quam ut precentur sedulo Deum Patrem omnipotentem, ut veritatem suam in eo manifestare dignetur: et bibat accusatus aquam benedictam, et inde conspergatur manus

^a In Saxonico est *minpa meis*. Oportet interpretem corrupto exemplari usum esse. LAET. ^b Comparetur hoc cum cap. X. synodi apud Celichyt. Unum, uti correximus, hominem Anglicum liberare, qui in diebus suis sit servituti subjectus; ubi diserte explicat quid sit pite ðeopne. LAET. ^c MS. R. pinepiopne. ^d Sic cod. reg. sed desideratur in Jor. MS. ^e Non videtur mutandum *sortem dantibus*. Etiam hodieque apud nos *sortem alicui dare* dicuntur fortilegae quae fascinum dant quo pereat, aut aegrotet, aut in aliud malum incidat. SALMAS. Legendum credo *mortem dantibus* ita vertit mon^{us} dædum quae sunt veneficae. Sed videtur jam tum sermonem Anglofax. haud bene calluisse. LAET. ^f mýnetize Saxonice. ^g upan on þa minetymipam. Sax. ^h Hoc quid sit fateor me non intelligere nisi forte legend. *ad candens ferrum*. Miram lectionem videtur secutus interpres; nam in Saxonico planus est sensus, *et purget manum cum qua arguitur dolum operatus*. LAET.

eius qua iudicium portare debet, et sic adeat. Noveni pedes mensurati distinguantur inter ternos. In primo signo secus stacam teneat pedem suum dextrum. In secundo transferat dextrum pedem, in tertium signum quando ferrum projiciet, et ad sanctum altare festinet, et infigilletur manus ejus, et inquiratur die tertia si munda vel immunda sit intra sigillationem, et qui leges istas fregerit: sit ordalium, id est, iudicium vel examen fractum in eo, et reddat regi centum viginti solid. witae.

CAP. IX. *Ut negotiatio non fiat die dominica.*
Ll. Sax. CA. XXIV. Jorn. CA. XXXII.

Qui aliquid emit, emat cum testibus, et si appellandum inde sit, recipiat hoc venditor suus a quo emit, sit liber, sit servus, sit quod sit: et non fiat aliqua negotiatio vel forensis actio die dominica. Si quis hoc praesumat, perdat ipsum capitale, et emendet overhirnesam meam.

CAP. X. *De pejerantibus.* Ll. Sax. CA. XXV.
Jorn. CA. XXXIV.

Qui falsum juramentum jurabit, et convictus inde fuerit, nunquam [postea] juramento dignus sit, nec in sanctificato atrio aliquo jaceat, si moriatur, si non habeat episcopi testimonium in cujus dioecesi sit, quod poenitentiam exceperit: et presbyter hoc referat episcopo infra triginta noctes, utrum ad emendationem et satisfactionem venerit. Si non faciat hoc, componat sicut episcopus ei concedet.

Totum hoc institutum et confirmatum est in magna synodo apud Greateleyam, cui archiepiscopus Wulfelmus interfuit, et omnes optimates et sapientes quos Aethelstanus rex congregare potuit.

CAP. XI. *De officio episcopi, et quid pertinet ad officium ejus.* Vid. Fox Act. et Monum. tom. I. pag. 193.

Episcopo jure pertinet omnem rectitudinem promovere, Dei videlicet ac seculi. Inprimis debet omnem ordinatum Dei instruere, quid ei jure sit agendum, et quid secularibus judicare debeant. Debet etiam sedulo pacem et concordiam operari cum seculi iudicibus qui rectum velle diligunt, et compellationum allegiationem docere, ne quis alii perperam agat in jurejurando vel in Ordalio.

Nec pati debet aliquam circumventionem injustae mensurae, vel injusti ponderis: sed convenit ut per consilium et testimonium ejus, omne legis scitum, et burgi mensura, et omne pondus sit secundum dictionem ejus institutum, valde rectum.

Ne quis proximum suum seducat pro quo decidat in peccatum. Et semper debet christianus providere contra omnia quae praedicta sunt; et ideo debet se magis de pluribus intromittere: ut sciat quomodo grex agat quem ad Dei ma-

num custodire suscepit, ne diabolus eum laniet nec malum aliquid superfeminet.

Nunquam enim erit populo bene consultum, nec digne Deo conservabitur, ubi lucrum impium et magis falsum diligitur. Ideo debent omnes amici Dei quod iniquum est, enervare: quod justum est, elevare: non pati ut propter falsum et pecuniae quaestum se forisfaciant homines erga vere sapientem Deum, cui displicet omnis injustitia.

Christianis autem omnibus necessarium est, ut rectum diligant, et iniqua condemnent, et saltem sacris ordinibus evecti, justum semper erigant, et prava deponant. Hinc debent episcopi cum seculi iudicibus interesse judiciis ne permittant si possint ut illius aliqua pravitate germina pullulaverint.

Et sacerdotibus pertinet in sua dioecesi, ut ad rectum sedulo quemcunque juvent, nec patiantur si possint ut christianus aliquis alii noceat, non potens impotenti, non summus infimo, non praelatus subditis, non dominus hominibus suis, vel servis aut liberis molestus existat. Et secundum episcopi dictionem, et per suam mensuram convenit, ut servi testamentales operentur super omnem sciram cui praeest.

Et rectum est, ut non sit aliqua mensurabilis virga longior quam alia sed per episcopi mensuram omnes institutae sint, et exaequatae per suam dioecesim. Et omne pondus constet secundum dictionem ejus: et si aliquid controversiarum intersit, discernat episcopus.

Et uniuscujusque domini necesse proprium est, ut compatiatur, et condescendat servis suis, sicut indulgentius poterit, qui a Domino Deo empti sunt, aequae chari servus et liber, et omnes eodem pretio redemit: et omnes sumus Dei necessario servi, et sic judicabit nobis sicut ante judicavimus eis quibus iudicium super habuimus in terris.

CAP. XII. *Quod omni die Veneris pro rege et populo cantandi sunt l. psalmi.* Concil. Exon. in Ll. Sax. CAP. III. Jor. CAP. VI.

Singulis quoque diebus Veneris decantent omnes Dei ministri in omnibus coenobiis seu majoribus ecclesiis quinquaginta psalmos pro ipso rege, et omnibus ei audientibus, necnon aliis quibuscunque promerentibus.

Unicuique etiam qui voluerit, fas esto, si quid criminis ei imponatur jam compensare, ni in lustrationis diebus, quas Gang-dayes vocant, sit commissum: et deinceps res se habeat sicut prius.

CAP. XIII. *De weris seu weregildis, i. capitulum aestimationibus.* CAP. ult. sic MS. Reg. pag. 143.

Regis weregildum est cum Anglis in jure publico, triginta milliaⁱ thrimsa, id est, trium. Quindecim millia thrimsa sunt de wera. Et quindecim millia cynedomas, id est, regiae^k censurae. ^lIpsum natale ejus pretium pertinet cognitioni: et cynebot ipsius terrae nationi.

ⁱ Haec corrupta sunt in Saxon. þrumra and þera xv.M. thrimsa, et horum xv. millia sunt de wera. LAET. ^k Potius ^l ipsius regni: nam postea dicit esse to þæm landleobe, id est, ipsius gentis: seu, ut Jornal. terrae, nationis. ^l Capitale.

Sax. re þæra, LAET.

Archiepiscopi et comitis weregildum est quindecim millia thrimsa.

Episcopi et aldermanni octo millia thrimsa.

Messetheines et woruldtheines, id est, presbyteri et secularis thani duo millia thrimsa.

Haec immediate sequuntur praecedens capitulum de weregildis, in regio codice. fol. 143. col. 4. [Haec Anglofaxonice edita sunt ab eruditissimo viro D. Tho. Milles, in libro de nobilitate politica et civili: e quibus haec versio in multis emendari potest; licet et Saxonica illa corrupte sint edita. LAET.]

Aliquando fuit in Anglorum laga quod populus et leges consilio regebantur, et tunc erant sapientes populi, magni prorsus nominis et pretii: comes et villanus, tainus, et alius, singuli pro modo suo.

Et si villanus excrevisset ut haberet plenarie quinque hidas terrae suae propriae, ecclesiam et coquinam, timpanariam, et januam et sedem, et sunder notam in aula regis, deinceps erat taini lege dignus.

Et si tainus ascendisset ut serviret regi et equitatus sui vice fungeretur in familia sua, si tunc habeat tainum qui ad ut waram regis quinque hidas haberet, et in aula regis domino suo serviret, qui tertio venisset in nuncium ejus ad regem, iste poterat deinceps jurare pro domino suo in magna necessitate, et accusatorem ejus recte admallare ubicunque opus esset. Et qui sic promotum hominem non habet, ipse causam suam superjuret vel amittat.

Et si tainus provehatur ad consulatum, sit postea dignus rectitudine comitis et honore: et si massere ascenderet ut ter magnum mare transfretaret, per proprium negotium suum fuit deinde taini dignus rectitudine.

Et si scholaris profecisset in doctrina, cur ad sacros ordines pertransiret, et Christo Domino ministraret, erat denique dignitatis et pacis dignus, quanta pertinebat super illud, nisi forisfaceret cur ipsius ordinis officio non utatur.

Et si eveniret ut ordinatus vel alienigena disturbaretur alicubi verbis vel operibus, tunc pertinebat regi et episcopo hoc emendare quam citius possent.

Ceorles weregildum est in Mircenorum laga 200. fol.

Taini weregildum est sexies tantum, id est, duodecies 100. solidi.

Regis simplum weregildum est sex tainorum, weregildum in Mircenorum laga hoc est, triginta millia sceatta, id est, totaliter centum viginti librae tantum est de weregildo, sed pro regni dignitate debet addi tantundem in Kene-gildo. Ipsam weram debent habere parentes ejus, et ejus emendationem ipsius terrae populus.

Twelfhindes hominis jusjurandum contra valet jusjurandum sex villanorum, quia si twelfhindus homo vindicari debet, plene vindicaretur in sex ceorlis, et ejus weregildum est sex ceorlorum weregildum.

Missae presbyteri et secularis taini jusjurandum in Anglorum lege reputatur aequae carum, et pro septem ordinibus ecclesiae quo sacerdos

per Dei donum ascendit ut haberet, taini rectitudine dignus est.

I. Septem sunt dona Sancti Spiritus, et septem gradus ecclesiae et sanctorum ordinum, et septies in die laudes Deo canendae sunt ab omni ecclesia. Et omnibus amicis Dei recte pertinet ut sanctam ecclesiam diligant et honorent, et Dei ministros pacificate custodire gaudeant, et qui eis nocebit verbo vel opere, septies emendat secundum quod factum sit, et secundum ordinem si Dei misericordiam habere velit, quia sanctificationes et ordines, et Deo dicatas domos semper debent pro timore Dei diligenter venerari.

II. Et ad ordinis emendationem, si ordinatus occidatur, supra rectam weram, primus gradus emendetur una libra, et digna poenitentia sedulo perquiratur.

III. Et ad emendationem ordinis si vitae sit amissio super rectam weram in secundo gradu duae librae reddantur cum Deo digna poenitentia.

IV.

V. Et ad emendationem ordinis si plena infractio fiat super rectam weram in quarto gradu quatuor librae reddantur cum poenitentia.

VI. Et ad emendationem ordinis super rectam weram in quinto gradu quinque librae componantur cum idonea poenitentia.

VII. In sexto gradu sex librae reddantur cum poenitentia.

VIII. Et ad emendationem ordinis, septimo gradu infracto septem libris super rectam weram emendetur cum injuncta poenitentia.

IX. Et ad ordinis emendationem, de pace semifracta componatur secundum factum. Semper enim debet judicium factum, et moderatio secundum mensuram pro Deo et seculo fieri, et de emendatione ordinis una pars episcopi, secunda fit altari, tertia societati.

Et in concilio episcoporum London. CAP. XII. sic habetur de congildonibus.

Et diximus etiam omnibus illis qui in nostram gildscyram vadium dederunt, si contingat eum mori, omnis congildo det unum panem et companagium pro anima ejus, et cantet unum quinquagenarium psalmorum, vel perquirat cantandum infra triginta noctes. Jorn. fol. 44. b.

Nota. Multis habitis conciliis, multas condidit Aethelstanus leges, e quibus nos ad ecclesiam istas pertinentes delibavimus. E concilio scilicet Grateleano, Exoniensi, Feureshamensi, Thunderfeldensi, et Londinensi: incertis autem omnium temporibus, et (quod hic non morabimur) confusis saepe capitulis. Prae caeteris claruit Grateleanum, et a succedentibus igitur passim recognoscitur et confirmatur. Habita vero sunt omnia sexdecim annorum spatio, diutius enim non regnavit Aethelstanus, et cum Wulfhelmus, archiepiscopus Cantuariæ (qui Grateleano concilio interfuit) mortem obiit anno regni Aethelstani decimo, hoc est, gratiae DCCCXXXIII. nos eorum synchronismi medi-

um retinentes, utpote qui regimina sua simul inierunt an. Dom. DCCCCXXIV. Grateleanum hoc concilium celebratum arbitramur circa an. Dom. DCCCCXXVIII. et quatuor caetera sub decennio insequenti proximo.

Liceat hic, ne alias non appareat, subingere, quod ad rem ecclesiae pertinens, de seipso retulit Aethelstanus in charta quadam donationis suae, coenobio factae Malmesburiensi, et ab ejusdem coenobii monacho prout sequitur repetitae. In qua

Elfredus quidam nobilis conjurationis reus in Aethelstanum regem, Romam mittitur expurgandus, et ante altare corruit perjuratus. Ex Will. Malmesb. De gest. reg. lib. II. cap. vi.

Sciant sapientes regionis nostrae non has praefatas terras me injuste rapuisse; rapinamque Deo dedisse, sed sic eas accepi quemadmodum indicaverunt omnes optimates regni Anglorum, insuper et apostolicus papa Romanae ecclesiae Johannes. Elfredo defuncto, qui nostrae felicitati, et vitae aemulus extitit, nequitiae inimicorum nostrorum consentiens, qui me voluerunt, patre meo defuncto, caecare in urbe Wintonia, si non me Deus sua pietate eri-

puisset; sed denudatis eorum machinamentis, remissus est ad Romanam ecclesiam, ut ibi se coram apostolico Johanne jurejurando defenderet. Et hoc fecit coram altari sancti Petri, sed facto juramento cecidit coram altari, et manibus famulorum suorum portatus est ad scholam Anglorum, et ibi tertia nocte vitam finivit. Et tunc apostolicus ad nos remisit, et quid de eo ageretur a nobis consuluit: an cum caeteris christianis corpus ejus poneretur.

His peractis et nobis renunciatis, optimates regionis nostrae, cum propinquorum illius turma efflagitabant omni humilitate, ut corpus illius per nostram licentiam cum corporibus poneretur christianorum; nosque illorum efflagitationi consentientes Romam remisimus, et consentiente papa positus est ad caeteros christianos, quamvis indignus. Et sic judicata est mihi tota possessio ejus in magnis et modicis. Sed et haec apicibus praenotavimus literarum, ne quamdiu christianitas regnat, aboleantur. Unde mihi praefata possessio, quam Deo et sancto Petro dedi, donatur, nec justius novi, quin Deo et sancto Petro hanc possessionem dare, qui aemulum meum in conspectu omnium cadere fecerunt, et mihi prosperitatem regni largiti sunt.

Leges ecclesiasticae Hoeli Dda (i. Boni) regis seu principis totius Walliae, e secularibus suis MSS. decerptae. [An. Dom. DCCCCXLIII. Spelm. vol. I. p. 408. seqq.]

Prooemium.

DE I providentia Howell Dda filius Cadell, rex totius Cambriae videns suos Wallenses insolenter legibus abuti, accivit de quolibet ^a Kemut totius regni sui sex laicos viros auctoritate et scientia pollentes et omnes ecclesiasticos dignitate baculosos; vel archiepiscopos vel episcopos, abbates, vel priores de regno suo ad locum qui dicitur Gvin super Taff yn deued, quam domum voluit aedificari virgis albis in hospitium sibi ad venandum quando ad partes Demeetiae veniret; et ideo vocatur Ty Gvyn.

Rex autem et congregati morati sunt ibid. per totam Quadragesimam orantes altissimum per jejunium perfectum petendo gratiam ad bona facienda secundum regis propositum, et de congregatis elegit rex xii. laicos doctissimos, et unum clericum doctissimum qui vocabatur Blangoridus ad instruend. sibi leges et usus, ut propinquius possent ad veritatem et justitiam intendi, et in tres partes scribi praecepit, quarum prima lex curiae suae quotidianae. Secunda lex patriae. Tertia usus utriusque. Tres autem libros legis praecepit fieri confimiles, unum ad curiam suam quotidianam sequi semper. Et alium ad curiam de Dinewr. Et tertium ad curiam de Aberfrau, vel qualibet de tribus partibus Kambriae, scilicet Guenet, et Powys, et Deheubarth haberet in se auctoritatem legis ad opus paratam.

Sequuntur leges ecclesiasticae.

I. Ex quo ^b Distein in aula steterit post prandium in tribus festis principalibus ponens, in ea pacem Dei, et regis, reginae, et optimatum curiae, pacem illam transgredienti nusquam erit refugium et navt. ^c n' omnium refugium. Si quis ergo refugium regis et omnium violaverit, nec usquam, nec ab unius refugio, vel a reliquis sanctorum defendi potest nisi ab ecclesia.

II. Qui sacerdoti ^e sarhaed fecerit, vel eum occiderit, judicio synodi puniatur praeter gueli tanavd.

III. Hospitium sacerdotis et clericorum erit domus capellani villae. Hospitium sacerdotis reginae est insimul.

IV. ^d Offeirad euleu contra Pascha regis indumenta habebit quibus usus est in Quadragesima.

V. Simili modo sacerdos reginae ipsius habebit indumenta in quibus regina agat poenitentiam. Sacerdos reginae a regina aequum debet habere, sacerdoti, et accipitrario, et penkynynt, et judici curiae, et gwastravd afvyn: equi a rege restaurantur cum opus fuerit. Terram suam tenebit liberam.

VI. Triplex est officium sacerdotis curiae in placitis, scilicet lites discretas de scripto delere, lites indiscretas ad iudicium in scripto servare, et ad opus regis quantum ad literas missas et mittendas paratum esse et nunquam ebriatum.

^a i. Centuria.

^b Praefectus, oeconomus, Dishtchein, forte Dapifer.

^c i. injuriam.

^d i. sacerdos.

VII. Tria sunt iudici pertinentia, scilicet quaestiones solvere, lites discernere, et quod per iudicium discreverit, per vadimonium confirmare, si tunc litigans ei contradicit per aliud. Sic agat per annum. Anno autem elapso capellanus adeat ecclesiam, et cum eo duodecim officiales curiae digniores, et missa celebrata, et oblatione ad missam ab omnibus facta, capellanus faciat eum jurare per sacrum incelebratum, et per altare, et reliquias superpositas, quod in tota vita sua nec prece, nec pretio, nec amore, nec odio falsum scienter faciet iudicium. Quo facto ad regem venient, indicantes ei quae circa eum acta sunt. Si regi gratum sit officium suum illi praeſtabit, et locabitur in sede sibi debita. Tunc dabuntur ei ouer clyſſeu, a rege taulbord, a regina annulus aureus, quae dona nec vendet, nec unquam donabit. Non debet iudex esse nisi in tali ſolempnitate approbatur.

VIII. Et si aliquis de gentibus homicidae vel occisi sit ecclesiasticus ſacris ordinibus, vel religioni obligatus, vel leproſus, vel mutus, vel ſtultus nihil reddet vel recipiet pro e galanas. Nulla autem vindicta ſuper eos vel ab eis propter occiſum debet fieri, nec tales poſſint per legem iſtam ad reddendum vel recipiendum aliquo modo compelli.

IX. Si fur coram preſbytero ſocios ſuos nominando manifeſtet et aſſirmet hoc jurando in oſtio coemeterii, in oſtio chori; quicquid de illo poſtea contingat verbo preſbyteri abinde, de dicto illius abſque contentione credendum eſt. Simili modo ſit quando quis pro mercede dicat furem qui rem furatus eſt, et hoc faciat coram ſacerdote modo praeſnotato. Si quis alicui depraedari dicitur, et ille negaverit, i. hominum iuramento habet negare. Hic eſt unus homo eorum cui ſoli creditur, ſcilicet managvr, dictator continens cum teſtimonio ſacerdotis, ſi ipſe cum illo qui rem perdiderit, venerit coram ſacerdote ad eccleſiam, et dicat ei ſacerdos prohibendo ſimiliter, ne pro Deo ducat eum in falſitatem, hoc faciat in oſtio eccleſiae, ſi ibi iuraverit ſe verum dicere, et non falſum, ſimiliter faciat in introitu cancelli, deinde ſuper altare idem faciat, et ille qui reus dicitur adhuc negaverit. Sacerdos aſſirmet verbo ſuo ter quod et vidit, audivit, et ſemel jurando confirmet illud, hoc facto, qui prius negaverit pro confidente habetur, nec poterit contradicere. Mercedem quidem ſtatim habebit ille qui dictavit et verbo ſacerdotis teſtificantis dictatoris ſacramentis non contradicetur, et ſinꝝ pro confidente habetur, et dicitur hoc dogynuariac.

X. Tria ſunt genera^f dirvy, unum de pugna, alterum de treis, i. raptu, tertium de furto. Duplex autem ſit dirvy, et duplex camlurv, in curia et in eccleſia. Quae eccleſia ſi ſumma fuerit, de pugna quae in coemeterio agitur xiv. librae ſunt reddendae. Si vero extra, i. in^e nodva, vii. librae, quarum librarum abbati medietas cedit, ſi legalis ſit, i. eccleſiaſtica doctrina inſtructus et literatus. Altera medie-

tas preſbytero et canonicis ibi Deo ſervientibus. Talis diviſio ſit inter abbatem et preſbyteros de pugna illorum, ſcilicet^h navtur, qui ab abbate et preſbytero refugium acceperint: ſicque dividitur omne quod tantummodo ſancto, non alteri nec alii abbatum erogatur. De pugna inⁱ nodva ſanguis et cleis ſtabunt pro teſtibus abbati et preſbyteris per dignitatem eccleſiaſticam abbatiae.

XI. Lingua quantum omnia membra valet. Summa valentiae omnium membrorum eſt octoginta viii. lib. Sanguinis cujuſlibet hominum pretium eſt xxiv. d. Sanguinis Chriſti pretium eſt xxx. d. ſcil. indignum videtur ut Dei ſanguis hominis minoris pretii ſit.

XII. Tribus de cauſis poterit uxor a viro divertere, et ſuum^k egveti habere, ſcilicet, ſi lepra vir inficitur, et ſi foetidum habeat anhelitum, et ſi cum ipſa coire non valeat. Ter a viro ſuo ſi aliam cognoverit^l vynebwerth uxor habitura eſt, primo dimid. librae, ſecundo libram, tertio cum toto jure ſuo libera^m diliis poterit ab illo diſcedere. At ſi ultra tertiam vicem patienter ſuſtineat de caetero vynebwerth non habebit. Redwit dicit quod tertio xxx. ſol. quarto libera cum toto jure ſuo abiit, ſi patienter ſuſtineat de caetero vynebwerth non habebit.

XIII. Cum puellae ſuo temporeⁿ cowyll comparetur, niſi mane de illo antequam a viro conſurgat a lecto voluntatem ſuam declaret, inter virum et mulierem commune erit. Si viro detur puella aetatem habens, dicatque vir illam ab alio deſloratam percepiſſe, puella ſi poſſit quinque hominum iuramento, ſcilicet patris, et matris, fratris, et ſororis, et ſuo proprio, hoc falſum eſſe aſtruat, et ſe ad illum adveniſſe incorruptam, ſcilicet, ſit matura in pilis et uberibus, et ſi venerint muliebria ejus, i. teithi aetatis^o gvreic. Si primo tacuerit, et ſecundo eam agnoverit, et ſic uſque ad mane cum illa dormierit, licet illam corruptam invenerit, primo de jure puellae nihil poteſt auferre. Si vero ſtatim hoc noverit, ad viros ſurrexit nuptiales, alia non contradicente, hoc eis teſtificaverit, nihil ei jure reddere debebit.

XIV. Si cujus uxor de alio infametur, et hoc tamen ſit incertum, ſeptima manu mulierum expurget. Si ſecundo infametur cum quatuordecim. Si tertio cum quadam certitudine hoc dicatur, iuramento i. mulierum ſe expurgabit.

XV. Si qua mulier datores habuerit, ſit vir ſub dote ſua uſque ad vii. annos, et ſi habuerit tres noctes de ſeptimo anno, totius ſubſtantiae ejus medietatem in divortio eorum mulier habebit. Subſtantia autem hoc modo dividitur. Vir ſues habebit, mulier oves. Poſtea mulier dividat, vir eligat, et primo ſupellex ſic dividatur, omnia vaſa lactis praeter unum ſinum, i. baeol, mulieris erunt, et diſcos omnes habebit praeter unum, et illa duo viri erunt, currum vero cum uno jugo, et omnia vaſa, potus et dolia viri erunt, quae deſuper vero, mulieris.

^e pretio homicidii.
^f ſatisfactionem.

^g i. multa.

^h publice vel ſoluta.

ⁱ nodd ſa, aſylum.

^j veſtimenti genus.

^k i. refugium.

^l ephebiae.

^m in aſylo.

ⁿ Egweddi, dos.

Si vir incontinenti aliam duxerit uxorem, vestimenta primi lecti, scilicet repudiatae mittere debet. Vir habebit caldarium et tapetum, i. brycan et pulvinar, et cultrum et securim lignorum et terebrum, etc.

XVI. Si uxorem suam quis sine lege repudiavit, et aliam superduxerit, repudiata debet de jure domui redire, et in ea permanere per novem dies, et in nono die, si a viro omnino dimittatur, omnia quae illius sunt de domo prius exeant, et ultima rerum suarum ipsa de domo exeat, et postea vir repudiatam quietem, i. dilys clamabit, superducta alia, quia de jure duas uxores infimul nullus debet habere. Si quis uxorem suam dimiserit, et postea ipsum operis sui poenituerit, et illa viro alteri data fuerit, si prior vir eam poterit attingere unum pedem cum viro altero in lecto habentem, et alterum extra, prior de jure debet eam recuperare.

XVII. Si mulier negat adulterium, det juramentum l. mulierum, similiter adulter negans, juramentum l. virorum. Et tribus de causis datur tale juramentum. Si videantur mulier veniens de luco ex una parte, et vir veniens ex altera parte ejusdem luci in eadem hora, vel si videantur infimul jacentes sub uno pallio, vel si videatur vir inter femora mulieris.

XVIII. Si qua mulier rem turpem, cum alio viro, vel osculo, vel manu vel stupro egerit, de jure potest repudiari a viro suo, et omnia jura sua debet amittere, etiam pro solo osculo, nedum pro aliis. Adulter pro stupro reddet injuriam cum una elevatione illi cujus uxorem violaverit, quia de genere hostilitatis est. Pro palatione manuum in *** quae dicitur govys, reddet injuriam sine elevatione. Pro osculo tantum adulter injuriam reddet, sed de injuria tertia pars cadet, quia non habuit rem cum ea ex toto, et hoc causa decipiendi eam, sic dicunt quidam, alii vero, ut nisi consequantur, declaratur, qualitercunque facta fuerit.

XIX. Qui uxorem alicujus osculatur, quartam partem injuriae ei reddet, similiter de govys nisi in ludo qui dicitur guare raffau, vel in convivio, vel quando quis de longe venerit.

XX. Goronvy ab moridyc dicebat quod vir alterius uxore ipsa volente abutens, nihil debet reddere dum mulier sui facti laudat auctorem, sed si factum notum fuerit, mulier habet viro suo ^p faraed reddere, vel vir eam libere repudiet, et ab ea divertat.

XXI. Nemo foeminam det viro antequam de mercede domino reddenda fidejussorem accipiat. Puella dicitur esse desertum regis, et ob hoc regis est de ea ^q amvabyr habere. Si aliquam quis in ^r llathrud abducatur, et ad domum alicujus optimatis cum illa vadit, fidejussorem a viro de toto jure abductae antequam infimul dormiant optimas accipiat.

XXII. Tres autem sunt homines quorum nullus potest per legem impignorare contra aliquod judicium. Primus est rex ubi non poterit secundum legem in lite stare coram iudice suo agendo, vel respondendo per dignitatem natura-

lem, vel per dignitatem terrae, ut optimas vel alius. Secundus est ecclesiasticus sacris ordinibus obligatus. Tertius est ecclesiasticus religiosus obligatus. Nemo enim secundum legem potest dare pignus contra judicium, nisi sub periculo pretii suae linguae, sed nullum pretium constitutum est in lege Howel super membrum et sanguinem, vel faraed ecclesiastici, ut sunt praedicti, et ideo nullus eorum potest dare vadium de jure contra judicium vel cum judicio. Omnia autem nocumenta sacrilega quae fiunt ecclesiasticis debent in synodo secundum legem ecclesiasticam emendari.

XXIII. Tres sunt homines quorum nullus potest esse per legem iudex dignus, primus est mendosus i. anavus, vel caecus, vel furdus, vel leprosus, vel stultus, qui sit semel ligatus propter stultitiam suam i. gorffvyllyave, vel qui nesciat recte loqui, vel cryc aneanvl. secundus est ecclesiasticus sacris ordinibus vel religioni obligatus. Tertius est laicus sine potestate iudicandi per dignitatem terrae vel servitoriae.

XXIV. Tres sunt rei conquestores, a rege propter querelas suas puniendi. Primus est qui det pignus contra judicium quod per aliud, i. gvrthvystyl et auctoritatem scriptam de legibus contra ipsum poterit confirmare, ille pretio linguae suae debet puniri. Secundus qui det pignus contra judicium quod super aliquem alium quam seipsum detur, ille suo ^s camlvre debet puniri. Tertius est si quis careat dignitate impignorandi, videlicet sacerdos vel alius, licitum est ei contradicere iudicio per auctoritatem de legibus, et si sic contradicat, et auctoritas ei fallat, camlvrv amittat. Nemo autem per judicium litigiosum amittet plus quam camlvrv nisi vera sit impignoratio vadio contra vadium.

XXV. In lege Romana reperitur ubi numerus testium non definitur, ibi duo sufficiunt. Dicit quoque lex, unius testimonium non est admittendum. Hoc vero dicitur quod ix. homines sunt, quorum unicuique et soli inferendo testimonio credendum est. Sed tamen jurejurando. Primus est dominus inter duos homines, ita tamen quod non sit particeps litis et rei ex lite consequendae, et confiteantur contentionem suam prius coram domino suo fuisse, et non fuerit ^t undull, at si alter eorum negaverit, cum juramento negabit. In alio casu ix. dies dantur domino ad connumerandum qualiter juramentum praestiterit, sacerdoti vero ad idem dantur induciae usque ad tempus quo possit missam celebrare. Secundus est patronus sacerdos inter duos parochianos inter duos monachos suos. Tertius est pater inter duos ipsius filios ponendo manum super caput illius contra quod testificatur, sic dicendo per Dominum qui me creavit de patre, et te de me, verum inter vos dico. Quartus est iudex de iudicio suo, scilicet, si quidam de iudicio quod inter eos iudex dederit dubitantes certaverint. Quintus est fidejussor de fidejussione sua, si partim negat, et partim confitetur. Sextus est sacerdos de testimonio sibi attestato inter duos parochianos suos. Septimus est puella de virginitate sua, si

^p injuriam.

^q Amobr pretium virginitatis.

^r llathrud raptus mulierum.

^s multa.

^t uniformis.

vir cui data est, dixerit eam invenisse corruptam, ut jus suum ei tollat, jus ei tamen illa est, et ei tamen credendum est antequam fuerit matura. Item de puella, si vi oppressa fuerit, et violator dixerit eam invenisse defloratam, contra eum testimonio puellae credendum est. Octavus est communis pastor villae de animali ab alio inter animalia suae custodiae mortificato. Nonus est latro ad patibulum ductus, et de morte sua certus, illius verbis sine sacramento, i. creir, de socio vel de sociis credendum est, vel de re quam ipse furatus est: iste, scilicet socius ejus propter dictum alterius, non debet vita seu membris condemnari. De verbis tamen illius qui suspendatur, manifestatur eum esse latronem cui credendum est, sicut lege ista cautum est. Est ergo ipse condemnandus non ad vitam seu membra perdenda, sed ad redemptionem sui faciendam. De illo latrone qui constituto juramento in patria, latrocinio non poterit se purgare. Eritque dirvyus et n' lleidyr gwerth.

XXVI. Fidejussor negans fidejussionem suam de septimo proximorum sibi redemptionem negabit, vel solus jurans super septem altaria dedicata osbri duv a diwad, si partim negat et partim profitetur, solus semel jurabit, et sic kynnogyn si fidejussionem negaverit, scilicet, de septimo.

XXVII. Si quis nomine emptionis rem aliquam ab aliquo acceperit: deinde ab hac vita ereptus, res suas cum amicis reliquerit, cum ipse pro se de pretio rei acceptae reddendo fidejussor extiterit, i. yn uach kynnogyn, ab amicis praefatis licet factum ignorantibus et obdormientibus de rebus mortui pretium rei suae venditor consequatur. Juret tamen de septimo proximorum sibi in redemptione super sepulchrum debitoris, si possit invenire, sin autem super altare dedicatum quod illi rem suam vendidit, et quod ipse pro fidejussore fuit.

XXVIII. Non debet fidejussor dari, qui exul est, neque qui fortior est, neque monachus, nisi consentiente abbate, neque scholaris, nisi magistro consentiente, neque foemina, nisi domina fuerit principalis debitoris, neque filius, nisi patre consentiente, dum pater debet esse pro filio, quamvis autem fidejubeant, alicujus eorum fidejussio non est compellenda.

XXIX. Tria sunt sine quibus rex esse non potest, scilicet sacerdos ad missam celebrandam, et ad escas regis et potus benedicend. et judex curiae ad causas discernendas, et ad danda consilia; et familia quoque ad negotia regis parata.

XXX. Tribus hominibus vulnus linguae redditur: regi semper, judici, quando quis conatur ire contra judicium: sacerdoti quando fuerit in ecclesia, sive in tribus festis principalibus.

XXXI. Ubicunque sacerdos familiae et ^v distein, et judex curiae infimul fuerint, ibi erit dignitas curiae, i. ^x breint llys, licet rex absens est.

XXXII. Nullus autem rex habet potestatem constituendi pretium super aliquem ecclesiasti-

cum sacris ordinibus obligatum, vel super membra, vel sanguinem, vel saraed ejus, vel super aliquem de suis, quia quisque ecclesiasticus, ut praedictus, habet potestatem per legem ecclesiasticam probandi in synodo quodlibet nocumentum vel damnum quod ei laicus faciat; aut rex aut alius. Item nullatenus talis ecclesiasticus potest compelli ad respondendum alicui extra synodum de delictis sibi oppositis.

XXXIII. Si autem talis ecclesiasticus tenent terram sub rege per debitum, de qua servitium regi pertineat fieri, in curia regis debet respondere de terra cum pertinentiis, quia regis est tota terra regni sui, et nisi inde respondeat humiliter idem, regis erit terra illa totaliter. Quamvis autem talis ecclesiasticus possit per dignitatem terrae in judicio cum laicis esse usque ad tempus narrandi illud, nullum judicium debet referre inter litigantes, quia non est pretium super linguam ejus in lege constitutum per quod quisque judex si injuste judicet punietur, si confirmet judicium injustum per vadimonium.

XXXIV. Cum de villarum sive agrorum terminis quae curia contingat, contentionem curia terminabit: si ecclesia et non curia contingat, ecclesia terminabit. Postea brent demum kygwarchadv, i. ar diffeith, ty ac olyn ac ysgubavr. Verum cum terminabit maer et kyghellavr, debent pro ea terminos assignare, pro ecclesia vero baculus, et evangelium. Sin autem terra litigiosa inter litigantes in duo dividatur.

XXXV. Si regia dante licentia in rusticana villa ecclesia construatur, et in ea missae celebrentur, et in atrio illius corpora sepeliantur, extunc libera erit villa illa.

XXXVI. Si quis nomine quo matrix fuerit ecclesiae, judicio terram ad illam pertinentem petierit, novem dies mensium non est expectandus.

XXXVII. Si regis villanus rege annuente optimatis filium nutriendum susceperit, defuncto villano cum filiis aequali portione alumni ille succedet.

XXXVIII. Si in terra regis cum homine ipsius homines episcopi vel abbatis inter se conflictum fecerint, ^v dirvy eorum regi.

XXXIX. Septem domus episcopales sunt in Dyued, Menevia quae est sedes principalis in Cambria, ecclesia Ismael, ecclesia Degenian, ecclesia Yffyl, ecclesia Teylav, ecclesia Teulidavc, ecclesia Keneu. Abbates Teilav, et Teulidavc, et Ismael, et Degenian tenentur clerici esse et ordinati. Ebediv cujuslibet istorum domino Dyued erunt, scilicet, xii. librae, vel qui illis successerint reddant. Menevia ab omni debito libera manet et soluta. Ecclesia Keneu et ecclesia Yffyl ab illo debito liberae erunt, quia terris carent.

XL. De furto redemptionis non fit contentio super aliquid, nisi prius fuerit manac cum juramento in tribus locis, in ostio coemeterii, in ostio ecclesiae, in ostio chori coram presbytero ipsius ecclesiae, et hoc presbyter ille in placito domini testatus sit cujus verbo credendum est

^v praefectus curiae, vel oeconomus.

^x aula regia.

^v multa seu mulctatio.

tunc. De furto ²kyffvyn non fit contentio iuramenti, i. reith, super aliquid nisi prius fuerit manac in curia.

Nota. Hoc concilium locat Camdenus in an. Dom. dccccxiv. codex quidam veterrimus MS. circa an. dccccxxvi. historia Cambriae post an. Dom. dccccxl. vel sub eodem. Magna auctorum discrepantia, et quae videatur tria concilia denotasse, si toto hoc tempore Hoeli florisset dominatio. Sed perspicuum est eum non salutatum esse principem ante an. Dom. dccccxl. vel hunc circiter: nec potitum gubernaculo ultra an. Dom. dccccxlviii. si historiae antedictae (quam a doctissimis illius patriae auctoribus recognitam videmus et approbatam) fidem habeamus.

Ei igitur adhaerentes, concilium istud sub an. Dom. dccccxl. celebratum opinamur, praesidentibus Walliae rege five principe Hoelo Dda (i. bono.) et archiepiscopo Menevensi, incerti sane nominis, sed qui pro more praedecessorum suorum, non solum archiepiscopi titulum, sed et in multis iurisdictionem tenuit, pallium licet a Romana sede non sit affectus. Affuisse etiam perhibentur 140. praelati ecclesiae, cum magnatibus totius Walliae. Finito concilio, dictus archiepiscopus anathema promulgavit in conditarum jam legum violatores: et ut firmiorem illis reverentiam rex pararet, assumptis sibi archiepiscopo Menevensi, et episcopis Bangorensi et Assavensi, tredecimque aliis prudentia et eruditione viris spectatissimis, Romam peregrinatur, et legum suarum confirmationem, a papa ipso, tanta his auctoritas, reportavit. Notatur autem in calce istius concilii Blangoridum (virum doctum cuius fit mentio in proemio) leges istas collegisse, et eundem claruisse ann. Dom. dccccxiv. Fuisse hoc, opinor, in occasione, quod eidem anno concilium istud a Camdeno sit ascriptum, anno scilicet quasi vicesimo sexto ante Hoeli principatum.

Sed non taceam Landavensem codicem a praedictis omnibus dissentire. Afferit enim Hoelum Dda recentiorem adhuc fuisse, et Edgari regis Angliae, qui non regnum iniit ante an. Dom. dcccclix. coetaneum. Liceat locum ipsum oculis dare, ut et plenius hoc intelligas, et una etiam reges seu toparchas Walliae sub antiquis istis seculis non solum Anglo paruisse: sed, ut caeteri Angliae magnates, iudiciis curiae regis Angliae coercitos esse.

“Insuper autem scitote, quod in uno tempore fuerunt Edgar rex totius Britanniae, et Huwell Dda, et Morgan Hen, et isti duo tamen erant

subditi regi Edgardo. Morgan Hen obtinuit quoque tunc temporis totum Morgannie in pace et quiete, sed Huwell Dda voluit auferre huic Istradm et Euwias tunc temporis, si posset. Quo audito, rex Edgarus admonuit Huwell Dda et Morgan Hen, et filium ejus Hewheym ad curiam suam, et ibi in pleno concilio rex Edgarus tractavit de litigatione amborum, et repertum est iusto iudicio curiae regis Edgari, quod Huwell Dda nequiter egisset extra Morgan Hen et filium suum Hewheym, et depulsus est Huwell Dda ab his duabus terris, scil. Istradm et Euwias in perpetuum sine recuperatione. Et postea rex Edgarus dedit et concessit Hueno Morgan Hen illas duas terras, viz. Istradm et Euwias nominatim in episcopatu Landav. constitutas, sicuti suam propriam haereditatem, et illas easdem duas terras sibi et haeredibus suis per chartam suam sine calumnia alicujus terreni hominis confirmavit communi nostro assensu et testimonio omnium archiepiscoporum, episcoporum, abbatum, comitum, et baronum totius Angliae et Walliae factum est. Et quod maledictus est a domino patre, qui illas duas terras a dominio Morganuc, et parochia Landaviae unquam separet. Et quod iterum benedictus foret a Domino Ihesu Christo qui hoc observaret, et a cuncto populo christiano amodo, et usque in sempiternum, Amen. Insuper scitote quod charta illa quae illo die facta fuit et scripta coram rege Edgardo in pleno concilio suo in ecclesiam Landavensem deposita est. Valete.” Sic codex Landavensis fol. 103.

Variato aliquantulum nominis vocabulo, dici hic videtur Huwell Dda, qui superius Hoel Dda, Latine Hoelus et Haelus, alias Huual, quem Malmesburiensis unum fuisse refert e [1. Dufual, 2. Grifeth, 3. Huual, 4. Jacob, 5. Judethil. V. M. Westm. in an. dccccclxxiv.] quinque Wallensium regibus, quos cum Kunadio rege Scotorum, Malcolmo rege Cumbriorum, et Maccusio archipirata (seu principe nautarum vel marium praefecto) ad civitatem Legionum sibi occurrentes, rex Anglorum Edgarus in triumpho pompam deducebat. Una enim navi impositos, remigare illos hanc coegit, dum in prora ipse sedens, navis tenuit gubernaculum: ut se hoc spectaculo, soli et soli orbis Britannici dominum praedicaret et monarcham. Vide Malmesburiensem de regib. lib. II. cap. viii. Sunt qui ferunt Hoeli leges a typographo quodam Wallensi nomine Salisberio, quadraginta plus minus abhinc annos editas esse, et inter patriotas suos dispersas: sed mihi non competit vidisse.

²cyflwyn, communicatio.

Legum ecclesiasticarum Edmundi regis prisca versio. [Ann. Dom. DCCCCXLIV. Spelm. vol. I. p. 423. seqq.]

Prooemium.

EDMUNDUS rex congregavit magnam synodum Dei ordinis et seculi apud London. civitatem in sancto Paschae solenni, cui interfuerunt Odo et Wulstanus archiepiscopi, et alii plures episcopi perquirentes de consilio animarum nostrarum, et eorum qui subditi sunt illis.

CAP. I. *De castitate ordinatorum.*

Inprimis est ut sanctis ordinibus evecti qui plebem Dei docere debent lumen vitae, castitatem teneant secundum ordinem suum, sit p̃p̃haber, sit p̃p̃haber, sit alterum. Alioquin sint ejus digni quod in canone dictum est, hoc est, ut perdant secularem pecuniam, et sanctificatum leȝeȝr̃topa, i. positionis locum, si non convertantur et emendentur.

CAP. II. *De decimis et aliis debitis ecclesiae.*

Decimas praecipimus omni christiano super christianitatem suam dare, et emendent: cȝp̃p̃ceatum, i. ecclesiae censum, et elmeȝp̃ceoh, i. eleemosynae pecuniam; si quis hoc dare noluerit, excommunicatus sit.

II. pars, quae leges continet Culintonae habitas, huc nihil confert.

Capita III. partis eadem sunt quoad numeros quae in Saxonico.

Prooemium.

Ego Edmundus rex mando et praecipio omni populo seniorum ac juniorum qui in regione mea sunt, ea quae investigans investigavi cum sapientibus clericis et laicis.

CAP. I. *De homicidio.*

Inprimis quomodo possem christianitatem magis erigere, et magnum nobis necesse visum est, ut amicitiam vestram et benevolentiam teneamus inter vos in toto regno meo, et mihi valde displicent, et vobis omnibus multiplices et injustae pugnae quae inter vosipfos fiunt, unde diximus, si quis post haec hominem occidat, ipse sibi portet inimicitiae factionem, nisi amicorum suorum auxilio intra annum persolveret eum plenum weregildo, sit natus sicut sit. Si eum cognatio sua deserat, et pro eo gildare noluerit, tunc volo ut omnis tribus vel cognatio illa sit extra factionem, praeter solum malefactorem, sed deinceps ei nec victum det nec pacem. Si quisquam cognationis suae firmet eum postea, reus sit omnium quae habebit erga regem, et portet ferdam erga contubernales, quia primitus reprobaverat eum. Si ex mortui cognatione quis vindictam perpetret in aliquem alium praeter ipsum malefactorem, sit inimicus regis, et perdat totum quicquid habet.

CAP. III. *De homicidio.*

Si quis sceleratis manibus effundat sanguinem christianum, non appareat in conspectu regis priusquam emendationem ineat, sicut episcopus docebit et poenitentiam consulat.

CAP. IV. *De fornicatione cum nunna vel sanctimoniali, et de adulterio.*

Qui cum nunna vel sanctimoniali fornicabitur, sanctificato atrio sit indignus, nisi emendet, sicut ut homicida; sic idem diximus de eȝp̃p̃ice, i. de adulterio vel infraeto conjugio.

CAP. V. *De apparatione ecclesiarum.*

Amplius dixi ut omnis episcopus reficiat Dei domos in suo proprio, et regem admoneat, ut omnes ecclesiae Dei sint bene paratae, sicut magnum nobis opus est.

CAP. VI. *De perjurio et liblaco.*

Qui falsum jurabunt, et liblacum facient, sint in aeternum a Dei consortio segregati, nisi ad dignam satisfactionem per omnia revertantur.

CAP. II. *De assultu in itinere versus ecclesiam vel burgum regis.*

Si quis ecclesiam requirat vel burgum meum, et ibi assaliatur vel affligatur, qui hoc fecerit ejusdem culpabilis quod supradictum est.

CAP. III. *De ȝihtep̃ta et manbota.*

Et nolo ut aliqua ȝihtep̃ta vel manbota condonetur.

CAP. IV. *De fundentibus sanguinem humanum.*

Amplius indico quod qui sanguinem fundat humanum nolo focnam habere in familia mea antequam divinam emendationem suscepit, et ad omne rectum inclinetur, sicut episcopus docebit in cujus scyra fuerit.

Sequitur in Jornalenfi libro hoc capitulum.

De sponsalibus contrahendis tempore regis Edmundi.

Si quis virginem vel viduam ducere velit, et hoc illi placeat et amicis suis, tunc rectum est ut bridguinum per Dei justitiam et seculi jus competens, inprimis promittat et vadiet eis qui paranympi sunt, quod eo modo quaerat eam, ut secundum Dei rectum pertinere velit sicut sponsus debet legitimam sponsam, et plegient hoc amici sui. Postea sciendum est, cui^a fosterleanum

^a Dotalitium (forte) vel vitalitium. De quo vid. Hotom. Diction. verb. Dotal. et verb. Morganatic.

pertineat. Vadiet hoc bridguina, i. sponsus, quid ei dare disponat cur ejus eligat voluntatem et quid ei destinet si supervixerit ipsum. Si sic quoque conveniat, rectum est, ut dimidiam pecuniam habeat, et totam si simul puerum habuerint, nisi deinceps virum capiat. Totum hoc vadio confirmetur, et amici sui plegient. Si tunc omni re concordent, adeat cognatio, et despondeat eam *eo pīe 7 eo pīhtlīe*, i. in uxorem et rectam vitam, et excipiat inde plegium qui jus habet in vadio. Sed si de ipsa

terra velit ipsam ducere in terram alterius thaini, consilium est, ut amici habeant pactionem, ne quis ei faciat injuriam. Et si illa forisfaciat ut possint esse propinquiore emendationi, si non habeat unde componat. Huic dationi debet interesse presbyter, qui cum Dei benedictione debet eorum consortium adjuvare in omnem sanctitatem. Bonum est praevidere ne ex aliqua consanguinitate sibi pertineant, ne juste postmodum separentur, qui sceleratis nuptiis consenserunt.

Odo archiepiscopus Cantuariensis Edwium regem occiduorum Saxonum adulterii et incestus causa a christianitate suspendit. [Ann. Dom. DCCCCLVIII. Spelm. vol. I. p. 430. seq.]

EDWIUS alias Edwinus rex totius Angliae, in die coronationis suae proceres reliquisse dicitur convivantes, et libidine accensus Elfginam, al. Alguiam, propinquam suam et alterius uxorem constuprasse. Mittitur interea a proceribus Dunstanus abbas, ut regis ad convivium exoraret reditum. Is ex improvise thalamum ingrediens, offendit regem stupro deditum inter duas foeminas. Commovetur rex, flagrantemque incitat Elfgina pellex. Dunstanus mittitur in exilium. Haec et alia aegre ferentes Merciae populus et Northumbriae, instar decem Israelis tribuum, deficiunt a rege, et Edgarum fratrem ejus, sibi creant regem. Dividentes igitur regnum Angliae in Cisthamesinum (quod est, Merciorum) et Transthamesinum (id est occidentalium Saxonum) Edwio tantum Saxoniam occidentalem reliquerunt. Sed nec istis cohibetur libido Edwii. Permanentibus igitur ipso et Elfgina in adulterio, Odo archiepiscopus Cantuariensis illum a christianitatis suspendit solamine: istam excommunicatam primo eliminat, redeuntemque denuo, succisura poplitis enervatam reddit. Audi Malmesburium De gest. Pontif. l. I.

Edwinus filius Edmundi et regni post Edre-

dum patrum successor praecipitis temeritatis et corporei luxus infamis, pontificis, Odonis, animos irritavit, ut ipsum a christianitate suspenderet, et ganeae pellicatum primo expulsione post succisura poplitis interromperet. Et Hovedenus: "Anno, inquit [Annal. Par. I.] DCCCCLVIII. Odo Doroberniae archiepiscopus regem Westsaxonum Edwium et Elfginam, vel quia (ut fertur) propinqua illius extiterit, vel quia ipsam sub propria uxore adamavit, abinvicem separavit." Latius haec Florilegus in an. gra. DCCCCLV. et DCCCCLVIII.

Nota. Ut in annalibus computationibus discrepare solent auctores frequentissime, ita nec hic bene convenit de praesenti. Odonem enim archiepiscopum Cantuariensis mortem obiisse ferunt in an. Christi DCCCCLVII. et Edgarum non creari regem, nec regnum dividi ante an. Christi DCCCCLIX. sic ut annus medius DCCCCLVIII. neutri competat. Id praeterea serio hic notandum est: archiepiscopum succidisse Elfginae poplitem, ne rediret propere ad amasium, cum membrum ferro tangere praeter morem esset ecclesiasticae censurae.

Privilegium quo rex Edgarus confirmat Dorobernensem ecclesiam (i. Cantuariensem) matrem esse et dominam aliarum ecclesiarum regni sui, etc. Ex MS. Cod. eccl. Cantuar. [Ann. Dom. DCCCCLIX. Ibidem p. 432.]

ANNO dominicae Incarnationis DCCCCLVIII. Ego nempe Edgarus rex Anglorum, divinaque concedente clementia monarchus, regum antiquorum Aethelberti, et successorum illius, ac archiepiscoporum Brythwaldi et Athelardi statuta et privilegia monasteriorum Kancegenum cum venerabilis archipontificis Dunstani consultu atque consilio, ad maledictionem impiorum raptorum, immo magis Deo favente ad benevolentiam justorumque benedictionem, aeterna conclusione renovamus, et in Domino summo roboramus, statuentes:

Ut ecclesia Christi in Dorobernia aliarum ecclesiarum regni nostri mater sit et domina, [et] cum suis omnibus perpetualiter sit ubique libera praeter expeditionem, pontis et arcis constructionem.

Nota. In MS. codice annus dationis seu confirmationis istius privilegii, non figuris exaratur arithmetice, sed literis (ut plerumque solet) numeralibus, scil. DCCCCLVIII. et desiderari videtur unitatis aliud elementum, ut lectu fiat DCCCCLVIII. ante annum enim Christi DCCCCLIX. neque Edgarus ab auctoribus salutatur rex Anglorum, nec divisa nuper inter ipsum et Edwium, coaluerunt regna: nec Dunstanus factus est archiepiscopus Doroberniae. Imitari autem hic videtur rex Edgarus, in imperii orbe sui, Phocam imperatorem qui Sylvestro papae concessit, ut ecclesia S. Petri Romae caput omnium ecclesiarum diceretur. Vid. Godwin. Hoved. Annal. par. I. p. 425.

Legum ecclesiasticarum Edgari regis prisca versio. [Circa an. Dom. DCCCCLXVII. Spelm. vol. I. p. 446. seq.]

Hoc est institutum quod Edgarus rex consilio sapientum suorum instituit Deo ad gloriam, et sibi ad regiam dignitatem et genti suae ad commodum.

CAP. I. De debitis ecclesiae reddendis.

Primum est ut ecclesiae Dei, recti sui dignae sint, et reddatur omnis decimatio ad matrem ecclesiam cui parochia adjacet de terra thainorum et villanorum sicut aratrum peragrabit.

CAP. II. De ecclesiis ubi est coemeterium.

Si quis thainorum sit qui feodo suo ecclesiam habeat ubi coemeterium sit, det ei tertiam partem decimae suae. Si non sit ibi atrium, det ex suis ix. partibus presbytero quod vult, et etiam omne cyricseattum ad matrem ecclesiam de omni libera domo.

CAP. III. De terminis decimandi.

Et omnis decimatio juventutis reddita sit ad Pent. et terrae frugum ad aequinoctium, et omne cyricseattum ad festum sancti Martini per plenam forisfacturam, quam judicialis liber dicit.

CAP. IV. De nolente decimas dare.

Si quis decimam dare noluerit, sicut diximus, adest praepositus regis et episcopi et sacerdos illius ecclesiae, et reddat ecclesiae cui pertinebit decimam suam, et nonam partem dimittant ei qui decimam suam detinuit, et octo partes in duo dividantur, dimidium domino, dimidium episcopo, sit homo regis, sit homo thaini.

CAP. V. De non solventibus Denarium sancti Petri.

Et omnis * heordhen reddat ad festum sancti Petri, et qui non solvit ad terminum illum deferat eum Romam, et etiam xxx. denar. et afferat inde significationem quod tantum ibi reddidit. Et cum redierit domum emendet cxx s. Et si iterum reddere nolit, deferat eum Romam et emendationem eandem. Et cum redierit, emendet cxx. s. regi. Ad tertiam vicem si adhuc non reddiderit, perdat totum quod habebit.

* Hodie hearthen or heartbing.

CAP. VI. De solennitatibus et terminis observandis.

Et solenne diei dominicae conservetur ab hora nona Sabbati usque ad lucidum diei Lunae super forisfactura quam liber judiciorum dicit et docet. Et alia festivitas, sicut a sacerdote nunciabitur. Et omne indictum jejunium cum omni devotione fervetur.

Nota. Mihi non constat quonam anno editae sint leges istae Edgari regis. Regnare autem coepit anno DCCCCLIX. et desiit anno DCCCCLXXV. id est, anno regni sui XVI. cujus medio tempore, cum non extensus porrigatur, nos, ut alias soliti sumus, istas etiam collocamus, id est, circa annum Christi DCCCCLXVII. Praeter has autem plures, ille sparsim edidit constitutiones ad rem ecclesiae, praesertim monachatum, promovendam, ut e praecedentibus liquet, et aliis pluribus diplomatibus: maxime vero in eximio quodam Wintonensi codice aureis vetuste exarato literis: ubi inter plurima memoratu digna, rex semetipsum monachis, et reginam suam praeficit monialibus. Librum olim aliquando vidimus, cum haec nobis non essent curae: desideratur autem in praesenti cum foret usui. Haec SPELMAN.

De libro aureo Wintonensi hic et alibi a Spelm. memorato, sequentia tradit clar. USSE-RIUS in MSS. notis ad locum. The golden booke of Winchester was written A. D. DCCCCLXVI. and is yet to be seen in bibliotheca Cottoniana, whence Mr. Selden hath transcribed it into his notes upon Eadmerus a pag. 154. ad 160. and is the same verbatim with the Charta regis Edgari, but that Mr. Selden hath passed over the first six chapters, as an impertinent preamble. Yet in that booke is not to be had that which you speake off [quod rex semetipsum monachis, et reginam suam praefecit monialibus] but in another, which is still kept in the same librarye, intituled [Regularis concordia Anglicae nationis monachorum sanctimonialiumque] and contayning king Edgar's monasticall constitutions agreed upon in synodali concilio Wintoniae. Haec ille.

Prisca

Prisca versio legum Canuti regis ut habetur in MS. regio, in minutiis pluries dispar a Fornalensi; aliquoties etiam in majoribus. Deprehenditur autem capitulum series e tabulis superius paulo datis; sed qui hic sequuntur tituli habentur in ipso MS. regis. [Circa ann. Dom. MXXXII. Spelm. vol. I. p. 560. seqq.]

Leges ejus ecclesiasticae seorsim conditae a secularibus.

Prooemium.

HAEC sunt instituta Cnudi, regis Anglorum, Danorum, Norwegarum, venerando sapientum concilio ejus ad laudem et gloriam Dei, et suam regalitatem, et commune commodum habita, in sancto natali Domini apud Wintoniam [sequentia non habentur in Saxon.] diligenter ac fideliter in Latinum translata, compendiosa brevitate cum simplicitate lucida, velut suis asteriscis illustrata. Unde quarundam rerum et verborum affinitatem paucorum adjunctione, vel omissione, curaverim facile sobrius lector agnoscat. [Nec ista in Fornalensi] Sequuntur et aliorum jura regum plurimorum de quibus teneri liceat quicquid ista contemplatione non discrepat.

CAP. I. MS. Jor. CA. I. De dilectione Dei et proximi.

Inprimis est ut Deum et Dominum nostrum tota mente diligamus, et unam christianitatis sanctae fidem catholicam orthodoxe teneamus, et sanctam Dei ecclesiam pacificare, custodire, frequentare, ad nostram semper utilitatem gaudeamus.

CAP. II. MS. Jor. CA. II. De pace ecclesiarum.

Omnis ecclesia sub propria Dei omnipotentis protectione consistet, et christianis omnibus magnam super his reverentiam exhibere convenit: quia Dei pax super omnem pacis actionem specialius exoptanda, propensius est observanda et postea regis.

Et valde rectum est, ut ecclesiae pax intra parietes suos: et pax christiani regis, quam manu sua dederit, semper inconvulsa permaneat. Quicumque alterutram perfregerit, de vita et omnibus in misericordia regis sit.

CAP. III. MS. Jor. CA. II. De infractione pacis ecclesiarum.

Si quis amodo pacem ecclesiae Dei violabit, ut intra parietes ejus homicidium faciat; hoc inemendabile fit, et prosequatur eum omnis qui Deum diligit: nisi contingat, ut per aliquod pacis confugium, rex ei vitam concedat, plenius emendationibus erga Deum et homines.

Et hoc tunc inprimis fit; ut pretium natalis sui Christo persolvat et regi, et per hoc se inlegiet ad emendandum. Si tunc ad emendationem veniat, et rex ita patiatur, emendet ecclesiae pacem in ipsam ecclesiam plena regis mun-
brice: et reconciliationem ecclesiae quaerat, sicut ad eam pertinebit: et magbotam et manbotam plene reddat, et saltem apud Deum sedulo componat. Si vero aliter sine interfectione

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pax ecclesiae fracta sit, emendetur secundum quod acciderit; sit per pugnam, sit per robariam, sit per id quod sit, emendetur primitus infractione pacis in ipsam ecclesiam juxta quod culpa fuerit, et ipsius ecclesiae dignitas: quia non omnes ecclesiae parem emendationis dignitatem habent, licet eandem sanctificationis benedictionem consequantur.

Capitalis ecclesiae pacis fractio in rebus emendabilibus est, sicut infractione regiae pacis, id est [Jorn. X. lib.] quinque libris in Anglorum lege.

Mediocris ecclesiae, centum viginti solidos, id est, wita regis.

Et adhuc minoris ubi parva parochia sit, et atrium tamen sit, lx. solid. Et campestris ecclesiae ubi non sit atrium, xxx. solidos.

Christianis omnibus sincere convenit, sanctuaria et ordines, et Deo dicata loca summa discretionem, tota devotione pacificare, custodire, venerari, juxta modum singulorum, et qui scit intelligat.

CAP. IV. MS. Jor. CA. III. De dignitate sacerdotum.

Magnum est et mire praecipuum, quod ad velle Dei pro salute populi faciendum creditur sacerdoti; et magna conjuratio multaque benedictio est quae propellit diabolum, et in fugam redigit, quoties divina cooperante potentia, beatorum spirituum prosequente custodia, per manus temporalium sacerdotum sacri baptismatis, vel eucharistiae sacrosancta mysteria celebrantur.

CAP. V. MS. Jor. CA. III. De accusatione sacerdotum.

Si contingat sacerdotem regulariter viventem aliqua criminum compellatione [pulsari] se purget solus solum, si compellatio simplex sit, in triplici calumnia, cum duobus sui ordinis.

CAP. VI. MS. Jor. CA. IV. De diaconibus et caeteris gradibus.

Diaconus regularis in simplici compellatione cum duobus, in triplici cum sex diaconibus se adlegiet.

CAP. VII. MS. Jor. CA. V. De vulgaribus sacerdotibus.

Plebeius sacerdos qui regularem vitam non habet, purget se sicut regularis diaconus.

CAP. VIII. MS. Jor. CA. VI. De altari servientibus.

Si quis altari ministrantium accusetur, et amicis destitutus, sacramentales non habeat: vadat ad iudicium quod Anglice dicitur Corfned,

ned, et fiat sicut Deus velit, nisi super sanctum corpus Domini permittatur ut se purget.

CAP. IX. MS. Jor. CA. VII. *De accusatis sacerdotibus homicidio.*

Si quis ordinatus homicidii particeps consilio vel auxilio fuisse compelletur, purget se cum parentibus suis, quorum interest occisionis factionem tolerare vel emendare. Si parentes non habeat, cum sociis se purget, vel jejunium ineat si opus sit, et applicent ad Corshed, et fiat inde voluntas Dei.

CAP. X. MS. Jor. CA. VIII. *De monachis.*

Monachus ecclesiasticus non debet aliquam de homine occiso persolutionem exigere vel emendare, quia cognationis suae legem exiit, cum se regularis conversationis disciplinae mancipavit.

CAP. XI. MS. Jor. CA. IX. *De perjuriis sacerdotum.*

Si sacerdos aliquando falsus testis vel in aliquo consenserit, deponatur, et omnium bonorum societate, dilectione careat et honore, si non erga Deum et homines dignis poenitentiae fructibus secundum sui episcopi iussione praeparetur ad veniam, et emendationis et legalitatis plegios deinceps inveniatur. Si se purgare velit, secundum facti mensuram sit, vel per triplicem negationem, vel per singularem.

CAP. XII. MS. Jor. CA. X. *Exhortatio singulorum, et maxime praelatorum.*

Et volumus ut quicumque sunt in ordine clericatus constituti, puris mentibus inclinentur singulariter ad eam rectitudinem quae ipsis pertinet: et saltem ministri domini pontifices, abbates, monachi, monachae, canonici, nunnae, regulariter vivant. Diebus et noctibus saepius et assidue clament ad Deum pro christiani necesse populi, et ei digne serviant, et castitatem diligant. Quia perfecte sciunt non est rectum ut causa cohabitandi cum mulieribus habitent: et qui super his abstinebit, et castitatem servabit, ad perfectum sempiternam Dei misericordiam habeat, et ad honorem seculi, taini lege dignus sit.

CAP. XIII. MS. Jor. CA. XI. *De timore poenarum.*

Et omnis christianus pro timore sui creatoris, injustum concubitum vitet, et legem Dei teneat.

CAP. XIV. MS. Jor. CA. XI. *De ducendis uxoribus.*

Unde commonemus, petimus, et in nomine Dei praecipimus, ut nemo in parentela sua intra sextam generationem uxoretur: nec in dimissa cognati sui qui intra sextum geniculum pertineat ei; nec in cognatione uxoris suae; nec commatrem vel filiolum suam, nec sanctimonialem, nec repudiatam aliquis ducat uxorem; nec cum meretricibus circumeundo fornicetur, sed unam legitimam habeat quamdiu

vixerit, qui Dei legem iuste servare desiderat, et a gehennae ignibus animam suam liberare. Et reddantur Deo debitae rectitudines annis singulis, hoc est eleemosyna carucarum xv. diebus post Pascha.

CAP. XV. MS. Jor. CA. XI. *De decimis.*

Decimae de novellis gregibus in Pentecosten, terrenorum fructuum in festo Omnium Sanctorum. Si quis autem decimam dare nolit, sicut omnium nostrorum commune est institutum: hoc est, decima acra, sicut aratrum peragrabit: eat praepositus regis et episcopi, et ipsius terrae domini cum sacerdote, et ingratis auferant, et ecclesiae cui pertinebit reddant. Nonam vero partem relinquant ei, qui decimam dare noluit. Octo partes reliquas in duo dividant, et sit una medietas episcopi, alia terrae domini siue regis homo sit siue taini.

CAP. XVI. MS. Jor. CA. XII. *De Romefeoh.*

Et Romefeoh, id est, Romae census, quem beato Petro singulis annis reddendum ad laudem et gloriam Dei, regis nostri larga benignitas semper instituit, in festo sancti Petri reddatur. Qui supertenuerit, reddat episcopo denarium illum, ac triginta denarios addat, et regi det centum [Jorn. triginta sol.] viginti solidos.

CAP. XVII. MS. Jor. CA. XIII. *De ciricsceat.*

Ciricsceat, id est, ecclesiae census in festo sancti Martini. Qui sine licentia supertenebit, eum reddat episcopo, et xl. persolvat, et regi cxx. solidos.

CAP. XVIII. MS. Jor. CA. XIV. *De tainis qui ecclesias habent ubi atrium est, vel non.*

Si quis tainus in haereditate sua ecclesiam habeat in qua coemeterium sit, det ibi tertiam partem decimae suae. Si quis habeat ecclesiam ubi positionis locus non sit, det ex suis novem partibus presbytero suo quod velit, et eat omnis ciricsceat ad matrem ecclesiam per omnes liberas domos.

CAP. XIX. MS. Jor. ibid. *De luminaribus ecclesiarum.*

Fiat ter in anno symbolum luminis: primum in vigilia Paschae, oblatae cerae de omni hida, in festo Omnium Sanctorum, tantundem in festo sanctae Mariae candelarum.

CAP. XX. MS. Jor. CA. XV. *De sepultura.*

Pecunia sepulturae iustum est ut aperta terra reddatur.

CAP. XXI. MS. Jor. CA. XVI. *De corporibus translatis de parochia sua.*

Si corpus aliquod a sua parochia deferatur in aliam, solvatur tamen pecunia sepulturae ejus in eam cui jure pertinebit ecclesiam, et omnes rectitudines et sanctae Dei ceremoniae, sicut omnibus opus est totis desideriis observentur. [Haec rite pertinent ad seq. caput.] In festivitibus, in jejuniis.

CAP.

CAP. XXII. MS. Jor. CA. XVII. *De feriatio-
ne diei dominicae, et solennitatibus sancto-
rum.*

In feriatioe diei dominicae ab hora nona Sabbati ad usque diluculum secundae feriae, et in sanctorum omnium solennitatibus, sicut a sacerdote fuerint nuntiatae. Ipsa vero die dominica publica mercimonia, vel placitorum conventicula, venationes, et hujusmodi secularium actiones exerceri modis omnibus prohibemus, nisi pro magna necessitate sit.

CAP. XXIII. MS. Jor. CA. XVIII. *De je-
juniis.*

Omne indictum jejunium devote conserve-
tur: five Quatuor temporum, five Quadragesi-
male, vel deinceps aliud quodcunque sit: et ad
omnes beatae Mariae festivitates, et sanctorum
apostolorum omnium, jejunia votiva praeveni-
ant, praeter Philippi et Jacobi pro solennitate
paschali. Non sunt secundum legem indicta
jejunia a Pascha usque ad Pentecosten: nec a
natali Domini usque ad octavas Epiphaniae, nisi
qui per poenitentiam vel sponte jejunet.

CAP. XXIV. MS. Jor. CA. XIX. *De tempori-
bus leges faciendi et non faciendi.*

Et in festis diebus juramenta, et ferri, vel
aquae, vel hujusmodi legis examina fieri prohi-
bemus, et Quatuor temporum, et diebus Qua-
dragesimae, et aliis legitimis jejuniiis, et ab ad-
ventu Domini usque in octavum diem post du-
odecimum diem a Natali, et a Septuagesima
usque ad xv. dies post Pascha, et S. regis Ed-
wardi gloriosum passionis diem per totam An-
gliam volumus celebrari 15. cal. Aprilis, et
sancti Dunstani 14. cal. Junii; et sit in his
sanctis observationibus, sicut vere justum est,
christianis omnibus pax et concordia, et omnis
ira tollatur, et si quis alteri debitor est de ple-
giatione, vel aliqua contingentium secularium
emendatione, reddat ei sedulo prius aut postea:
et in Dei dilectione petimus, ut quicumque chri-
stianus suam ipsius benefaciendi necessitatem in-
telligat, quia singulos nos tempus expectat quo
nobis esset carius, quam quicquid in orbe ter-
rarum mundus obtinuit, Dei nostri voluntatem
fecisse dum licuit. Tunc sane recipiemus uni-
forme stipendium secundum opera nostra. Vae
qui promeruerit sempiterna supplicia.

CAP. XXV. MS. Jor. CA. XXI. *De confessio-
ne et poenitentia.*

Renunciemus sedulo peccatis nostris, et con-
fessionibus et abstinentiis expiemus, et quod no-
bis fieri volumus aliis faciamus. Hoc iudicium
nostrum est, et sane beatus et Deo gratus est,
qui iudicium hoc sincere tenuerit ad gloriam
omnipotentis Dei, cujus sumus miseratione
conditi, pretio magno redempti.

Quicumque christianus, sicut vere necessari-
um est, dignam christianitati suae curam im-
pendat, et ad perceptionem communionis do-
minicae ter saltem in anno se praeparet, ut non
hoc ad iudicium, sed ad remedium salutare
manducet: et quisquis amicus Dei est, verbis

et operibus rectitudinem flagitet, fidem et sa-
cramenta caute custodiat.

Omnis injustitia de finibus nostris quantum
possumus expellatur: et Dei iustitiam dictis et
factis deinceps amplectamur. Tunc ejus mise-
ricordiam propitiatus impetrabimus. Item fa-
ciamus sicut adhuc persuaderi volumus.

CA. XXVI. MS. Jor. CA. XXII. *De fidelitate
dominis exhibenda.*

Simus dominis nostris per omnia fideles et
credibiles, et eorum gloriam totis viribus exal-
temus, et velle faciamus: quia quicquid pro
recta dominorum fidelitate facimus, et magnam
nobis utilitatem facimus, et scienter Deus illi
fidelis est, qui domino suo fidelis est: et uni-
cuique domino magnum opus est, ut hominem
suum recte deducat.

CAP. XXVII. MS. Jor. CA. XXIII. *De do-
ctrina christiana.*

Omnes christianos sedulo commonemus, ut
puro corde semper Deum diligant, et catholi-
cae christianitatis fidei digne serviant: sanctis
ecclesiae doctoribus devote pareant: Dei leges
et doctrinam fideliter investigent semper et as-
sidue sibimet ad utilitatem. Et omnis christia-
nus addiscat ut saltem sanae fidei rectam intelli-
gentiam habeat: et sciat Pater noster, et Credo
in Deum, quia per illud Deum exoramus, per
aliud rectam fidem declaramus. Christus ipse
primus hanc orationem protulit, et discipulos
suos docuit; in qua septem petitiones sunt, et
quisquis eam intimo corde cantabit, cum ipso
Deo agit de quacunque necessitate vitae prae-
sentis et futurae. Sed quomodo potest aliquis
devotas ad Deum preces effundere qui non ha-
bet intime rectam fidem in eo? Non habet sa-
ne post transitum ejus portionem aliquam cum
christianis in requie sanctorum, nec sancta com-
munionem dignus, nec vere christianus habendus
est, qui non vult eam discere: nec ad eum ju-
ste pertinent aliquem in sancto baptismo susci-
pere, nec a manibus episcopi in confirmatione,
et datione Spiritus Sancti, antequam bene sciat
eam. Et docemus ut a summis criminibus to-
tis viribus caveamus in omni tempore, et qui
impulsu diaboli in peccatum inciderit, propen-
sus emendet consilio poenitentiae suae. Et ab
immundis gaudiis et injusto concubitu, vel ad-
ulterio caveatur. Et omnes Dei timorem et a-
morem in mente habeant: diebus ac noctibus a
peccatis fugiant: diem iudicii metuant, et in-
ferni cruciatus; et semper ultimum vitae suae
terminum cogitent advenisse. Christi sunt prae-
cones et doctores legis Dei, qui praedicationibus
et exemplis Dei debent mysteria declarare. Cu-
ret qui velit. Quia supervacue pastor est qui
commisso sibi gregi non vult saltem clamore
succurrere si quid ei noceat.

Non est aliquis tam nocens adversarius sicut
accusator humani generis inimicus, qui totis
semper visceribus inhiat, totis aestuat desideriis
quomodo plures animas pertrahat in supplicium.
Sit itaque pastorum solertia pervigil, et attente
proclamans, qui contra spirituales nequitias de-
bent populo providere. Qui sane sunt episcopi
sacer-

sacerdotes qui gregem Domini doctrina debent sapienter custodire, et defendere ne diabolica vesania vulneret vel occidat. Ei qui Dei prae-

ceptis obedire neglexerit, hoc cum ipso Deo commune habeat.

Leges ejus ecclesiasticae e secularibus suis collectae.

Edictum regis in opprimendis vitiis et augendis virtutibus. MS. Jorn. CA. XIV. et hic jure primum esset.

HAEC est institutio legum secularium, quam communi sapientum meorum consilio per totam Angliam teneri praecipio. Inprimis volo ut justae leges erigantur, et injustae subvertantur, et omnis injustitia quanta possumus observantia de finibus nostris sarculetur, et explanetur, et Dei justitia modis omnibus exaltetur: et amodo reputetur omnis homo publica dignus rectitudine, pauper, [et] quicumque dives sit, et eis justa judicia judicentur.

CAP. I. MS. Jor. CAP. XV. *De misericordia in judicio habenda.* Ll. Sax. II.

Si quis peccaverit, et seipsum profunde forisfaciat, temperetur in eo justitia, sicut erga Deum sit clementius, et in seculo tolerabilius: et multa sedulitate cogitet qui jus habet in judicio, quid sibi postulet a Domino dicens, "Dimitte nobis debita nostra, sicut et nos dimittimus: et non intres in judicium cum servo tuo Domine, quia non justificabitur in conspectu tuo omnis vivens."

Prohibemus ne christianus aliquis penitus pro parva re saltem ad mortem seducatur: sed exquiratur pro necessitate populi justitia pacificans, ne pro levi re dispereat opus manuum Dei, et suum ipsius pretium quod profunde redemit.

CAP. II. *Ne christiani vendantur.* Ll. Sax. III. MS. Jorn. CA. XVI.

Praecipimus ne christiani passim in exilium vendantur, vel in gentilitatem, ne forte pereant animae quas propria voluntate mercatus est Dominus noster Jesus Christus; et totis viribus semper mundare patriam studeamus in finibus ejus, et ab immundis operibus circumquaque cessemus.

CAP. III. *De sortilegis et veneficis.* Ll. Sax. IV. et V. MS. Jorn. CA. XVII.

Et si sagae vel incantatrices, veneficae vel meretrices alicubi compareant, expellantur a finibus nostris, vel in eis pereant, nisi cessaverint et profundius emendent.

Praecipimus ut ^a withersacan et utlagae Dei et hominum patria exeant, si non resipuerint, et digne poeniteant.

Fures, et ejusmodi damna populi propediem pereant, si non conquiescant.

Omnem quoque gentilitatem modis omnibus interdicimus. Gentilitas est si quis idola colat, id est Gentilium deos, solem aut lunam, ignem vel fructus, aquas fontium vel lapides, vel alicujus generis ligna, vel ^b wiccencrest diligat, vel mortificia quoquo modo suscipiat, aut in

forte aut in ^c firhte, vel in similibus phantasiis, vel praestigiaturis aliquid agat.

CAP. IV. *Si quis ministrum altaris occidat.* Ll. Sax. XXXVI. MS. Jorn. CA. LIX.

Si quis ministrum altaris occidat, utlaga sit erga Deum et homines, nisi dignis satisfactionibus veros poenitentiae fructus ostendat, et erga parentes ejus emendet vel ^d werelada se adlegiet, et infra triginta noctes hoc incipiat apud Deum et homines super omne quod habet.

CAP. V. *Qui ordinatum vel alienigenam malignabit.* Ll. Sax. XXXVII. MS. Jorn. CA. LX.

Si quis ordinatus vel alienigena seducatur in aliquo de pecunia vel vita, sit ei rex pro cognitione et advocato, si penitus alium non habeat, et emendetur regi sicut justum est, vel illud factum nimis profunde vindicet. Christiano regi jure pertinet, ut Deo factas vindicet injurias secundum quod acciderit.

CAP. VI. *Si quis ordinatus hominem occidat.* Ll. Sax. XXXVIII. MS. Jorn. CA. LXII.

Si quis minister altaris hominem occidat, vel malis actibus supra modum differatur, ordine simul et dignitate privetur, et peregrinetur sicut ei papa suus injunget, et opus emendet sedulo. Si se purgare velit, tripliciter hoc faciat, et si non infra triginta noctes hoc incipiat erga Deum et homines, extra legem habeatur.

CAP. VII. *Si quis clericus ligetur vel verberetur.* Ll. Sax. XXXIX. MS. Jorn. CA. LXIII.

Si quis ordinatum aliquem verberibus, aut vinculis, vel aliquatenus affliget, emendet ei sicut rectum sit, et episcopo emendationem altaris secundum dignitatem ordinis, regi vel domino plenam infractionem pacis, aut plena lada neget.

CAP. VIII. *Si clericus se forisfaciat.* Ll. Sax. XL. MS. Jorn. CA. LXIV.

Si ordinatus se forisfaciat in morte plectendis actibus, capiatur et servetur episcopi judicio discutiendus secundum quod factum sit.

CAP. IX. *Si quis confiteri velit et negetur ei.* Ll. Sax. XLI. MS. Jorn. CA. LXV.

Si qui morti damnatus confessionem habere desideret, nunquam defendatur ei. Et si quis ei perneget, emendet regi cxx. sol. vel se allegiat, sumat quinque, et idem sit sextus.

^a i. e. jure divino et seculari proscripti.

^b i. e. veneficium.

^c i. e. accensis taedis.

^d i. e. capitis sui redemptione.

CAP. X. *Ne quis occidatur in die dominica.* Ll. Sax. XLII. MS. Jorn. CA. LXVI.

Et si vitari possit, nunquam occidatur aliquis die dominica morte forisfactus, nisi fugiat vel repugnet: sed capiat et servetur donec festum tranfierit.

CAP. XI. *Si liber festis diebus operetur.* Ll. Sax. XLII.

Si liber festis diebus operetur, emendet hoc secundum suum ^e Healsfang, et saltem erga Deum emendet sedulo, sicut edocebitur.

CAP. XII. *Si servus operetur.* Ll. Sax. XLII. MS. Jorn. CA. LXVIII.

Si servus operetur, ^f corium suum perdat, vel triginta denariis redimat secundum quod factum erit.

CAP. XIII. *Si dominus suus cogat eum.* Ll. Sax. XLII. MS. Jorn. CA. LXIX.

Si dominus cogat servum suum festis diebus operari, ipsum servum perdat, et deinceps sit liber, et solvat dominus ^g lahsit cum Dacis, ^h witam cum Anglis secundum facti meritum, aut neget.

CAP. XIV. *Si liber legitimum jejunium infringat.* Ll. Sax. XLIII. MS. Jor. CA. LXX.

Si liber legitimum jejunium infringat, reddat lahsit cum Dacis, witam cum Anglis, secundum quod acciderit. Malum est, ut tempore jejuniorum ante horam comedat, et adhuc deterius ut carnis cibo quis seipsum inquinet.

CAP. XV. *Si servus hoc agat.* Ll. Sax. XLIII. MS. Jorn. CA. LXXI.

Si servus hoc efficiat, corium suum amittat, sicut factum est.

CAP. XVI. *Si Quadragesimale jejunium infringatur.* Ll. Sax. XLIV. MS. Jorn. CA. LXXII.

Si quis aperte quadragesimale jejunium frangat per pugnam, vel concubitum, vel per aliquod summorum criminum: sit hoc duplo corrigendum, sicut in summis festivitibus secundum quod factum erit. Si negetur, triplici lada fiat.

CAP. XVII. *Si quis Dei recta per vim super-teneat.* Ll. Sax. XLV. MS. Jorn. CA. LXXIII.

Si quis Dei rectitudines prohibeat, solvat lahsit cum Dacis, plenam witam cum Anglis, vel se adlegiet. Assumat xv. et idem sit xvi. Si aliquem vulneret, hoc emendet, et reddat plenam witam domino, et ab episcopo manum suam redimat, vel amittat eam. Si aliquem occidat, sit utlaga, et capiat eum cum clamore omnis qui rectum velit. Si efficiat ut occidatur, per hoc quod contra rectum resistat, si hoc ⁱ invenitur, inultus jaceat.

CAP. XVIII. *De conjugis infraetis.* Ll. Sax. XLVII. MS. Jorn. CA. LXXIV.

Si quis adulterium faciat, emendet secundum quod factum sit. Malum adulterium est; si sponsus cum vacua fornicetur, et multo pejus, cum sponsa alterius, vel cum ordinata.

CAP. XIX. *De stupris.* Ll. Sax. XLVIII. MS. Jorn. ibid.

Si quis cum ^k pertinente sua jaceat, emendet hoc secundum cognationis modum, sic wera, sic wita, sic omni pecunia. Non est aequale si quis cum sorore sua concumbat, et fuerit de longe pertinens.

CAP. XX. *De virgine oppressa.* MS. Jorn. CA. LXXVII.

Si quis violenter virginem opprimat, wera componat.

CAP. XXI. *De vidua similiter oppressa.* Ll. Sax. XLIX.

Si quis viduam per vim capiat, wera emendet.

CAP. XXII. *De adultera.* Ll. Sax. L. MS. Jorn. CA. LXXIX.

Si mulier, vivente marito suo, faciat adulterium, et manifestetur: sit ad dedecus seculi sibiipfi, et habeat legalis maritus ejus omne quod ipsa habebat, et ipsa perdat nasum et aures. Et si compellatio sit, et in emundando miseveniat, sit in episcopi potestate. Si quis uxoratus fornicetur cum ancilla sua, perdat eam, et pro seipso poeniteat erga Deum et homines. Et qui sponsam et concubinam simul habebit, non faciat ei presbyter aliquid rectitudinum quae christiano fieri debent, priusquam poeniteat, et ita emendet sicut episcopus injunget, et semper deinceps super his abstineat.

Alienigenae si concubitus suos dirigere nolint, extra patriam cum peccatis et pecunia recedant.

CAP. XXIII. *Qui plegium regis vel archiepiscopi [vel] aldermanni infregerit.* MS. Jorn. CA. LXXXIV.

Si quis plegium regis frangat, emendet quinque libras. Si quis archiepiscopi vel comitis, tres libras emendet.

CAP. XXIV. *Si quis excommunicatum vel utlagatum habet.* Ll. Sax. LXIV. MS. Jorn. CA. XCIV.

Si quis excommunicatum vel utlagatum habeat et manuteneat, desperatio sibi est et omni veniae suae. Et si quis ab injustitia velit reverti ad rectum, remittatur ei pro timore Dei sicut melius poterit, et faciamus sicut nobis expedit. Succurramus semper ei primitus qui magis indiget: tunc metemus inde mercedem nostram ubi nobis carius erit. Quia semper debet impotenti pro Dei timore et amore clementius judicari quam forti. Sane possumus scire, non potest debilis cum strenuo pariter. Unde me-

^e i. poena obstricti colli.
rente, i. consanguinea.

^f i. vapulet.

^g i. violatae legis poenam.

^h i. multam.

ⁱ l. inveniat.

^k lege pa-

ditari debemus, et distincte discernere, senium et juventutem, felicem et infelicem, sanitatem et infirmitatem, et utrobique debet hoc diligenter adverti, tam in divinis legibus, quam in secularibus judiciis. Item in multis quando aliquis coactus peccat, magis veniale est si necessitate fecit quod fecit. Et si quisquam agit aliquid impossibiliter, non est omnino simile, si voluntarie faciat.

Nota. Refert princeps optimus Canutus rex in epistola sua, leges istas praecedente, quam Roma dedit ad Angliae proceres, tria se vovisse: "Vitam propriam in omnibus justificare: regna populosque sibi subditos iuste et pie regere: aequum iudicium per omnia observare." Voti memor, per eandem epistolam, non solum praecipit, sed interminatur etiam, ante reditum suum exequenda. Reversus denuo caetera curat perimpleri. Hinc Malmesb. [Gest. reg. lib. II. ca. xi.] "Nec dicto," inquit, "deterius fuit factum. Omnes enim leges ab antiquis regibus, et maxime ab antecessore suo Aethelredo latas, sub interminatione regiae mulctae, perpetuis temporibus observari praecepit; in quarum custodia etiam nunc tempore bonorum, sub nomi-

ne regis Edwardi jurant, non quod ille statuerit, sed quod observaverit." In voti igitur consecratione suas has leges pietatis et iustitiae plenas edidisse sub hoc tempore videtur rex Canutus: et (quod recte animadvertit Malmesburius) plurimas his intexuit imo pene omnes Aethelredi reges, praesertim celebres illas Aenhamiae conditas.

Nec transeundum quidem est, quod etiam suggerit Malmesburius; praedicatissimas in historiis nostris Edwardi confessoris leges, quae nusquam nobis textu proprio innotuerint, pauca si excipias ab Hovedeno olim, a Lambardo nuper in lucem datas, hic praecipue exhiberi, utpote ab Edwardo Confessore observatas, sed a Canuto rege ex antiquioribus concinnatas et statutas. Auctor igitur codicis regii MS. Saxonorum regum leges exhibiturus, a Canuti istis licet ultimis exorditur velut caeteras omnes complectentibus. Subjungit tamen praecedentium regum institutiones; ut si quid defecerit in Canuti istis, ad illas denuo recurrendum foret. "Sequuntur," inquit, "et aliorum regum jura plurimorum, de quibus teneri liceat quicquid ista contemplatione non discrepat."

Angli qui interfuerunt magno concilio Remensi sub Leone papa an. MXLIX. E lib. fundat. coenob. Ramesiensis § ciii. et civ. MSS. [Spelm. vol. I. p. 571.]

ACTA sunt haec postquam supradictus abbas [Ramesiensis] Alfwinus repatriavit revertens de magno concilio quod Remis a Leone papa anno Verbi incarnati MXLIX. celebratum est, quo missi fuerant honorabiliter a rege Edwardo, Duduc [al. Dudoco et Dodeca XIV. Wellens. episc.] episcopus [Wellensis] et ipse Alfwinus Ramesiae, et Wulfricus de S. Augustino abbates, decreta christianitatis quae ibi a sanctis patribus statuébantur, relaturi. Sect. civ. Nec silentio praetereundum, quod memoratus abbas Alfwinus in memorato concilio Remensi tantam in oculis domini papae Leonis gratiam invenit, ut ad preces ipsius et instantiam, Ramesensem ecclesiam liberali protectionis apostolicae dono privilegiatam, et jura ejus, et possessiones, tam habitas tunc, quam in posterum justae acquisitionis titulo habendas, auctoritate

suarum literarum contra malignantium infestationem communiret.

Nota. Fit istorum mentio in sessione hujus concilii 5. nonas Octobris, ubi cum de synodica dispositione haberetur quaestio, papa ipse episcoporum sedilia in coronam disposuit, et in eorum medio suae sedis suggestum. Ad septentrionalem (sedisse dicuntur) plagam Hugo archiep. Vefontinensis, Hugo Nivernensis, Eusebius Andegavenfis, Pudicus Nannetenfis [Duduc] episcopus Anglorum, et Joh. Portuensis et a tergo eorum inter abbates: Vuluricus abbas S. Augustini Cantuariensis, Alvuinus S. Benedicti [Ramesiae] de terra Anglorum. Deinde caeteri, qui (ut supra relatum est) simul fuerunt numero L.

De Ulfso, episcopo Dorcestriae in concilio Vercellensi. [An. Dom. ML. Ibidem.]

PULSI sub hoc tempore sunt Normanni, qui in regno Angliae omnia praecipua munera jam invaserant; et inter eos Ulfus quidam Dorcestrensis episcopus, qui Angliam venit cum Emma regis Ethelredi conjugem: is id aegre ferens, apud Leonem IX. de injuria queritur in concilio Vercellensi; inscitiam autem suam ita prodidit, ut muneribus vix evaserit. "Eo tem-

pore," inquit Hovedenus [Hist. lib. VI.] Leo papa tenuit synodum apud Verzelei, ubi Ulf, episcopus Dorcestriae interfuit, et pene fractus est baculus ejus episcopalis, nisi majus pretium dedisset. Nesciebat enim officium suum, sicut episcopum deceret." Quidam hoc concilium ad an. MLII. retulerunt. [Vide Godwin. in episc. Dorcest.]

EX SECUNDO HENRICI SPELMANNI, EQUITIS, CONCILIORUM VOLUMINE.

EPISTOLA DEDICATORIA.

Reverendissimo in Christo patri ac domino, dom. Gilberto Sheldono, providentia divina Cantuariensi archiepiscopo, totius Angliae primate et metropolitano, sacrae majestati regiae a secretioribus consiliis, etc.

Εὐδαμονεῖν.

SISTO paternitati tuae, reverendissime archipraesul, dom. Henrici Spelmanni, avi mei, prolem posthumam, quae, parente in caelum recepto, pedibus tuis advoluta, clientelam illustrem ea, qua par est, humilitate modeste ambit, ut sub magni et sacri nominis tui patrocinio auspicius lucem videat et securius. Sub alterius, utut magni, cujuscunque auspiciis in publicum prodire non debuit, nec certe decuit. Cum enim Dei optimi maximi, et Caroli augusti gratia in sublimi et summa Britanniae specula constitutus sis; cum in statione illa edita non per intervalla, curisque intermittentibus, sed perdius et pernox pro salute publica excubias utiliter agas, et constanter invigiles; cum pro munere, etiam et merito tuo ecclesiae Britannicae primas audias; cum sacerdotes, templa, aras, adyta, sacraque omnia moderatione et prudentia summa solícite procures; cum summus sis et infulatus sacrorum arbiter; amplitudinem tuam adeat necesse est, ex ordine et solenni ritu litaturus. Qui enim victimam ad aras deorum, pontifice inconsulto, mactat, sacrilegium potius quam sacrificium perpetrat.

Tibi igitur, reverendissime archipraesul, summo synodorum Britannicarum praesidi, sacram hanc conciliorum Συνοδὸν lubens dico, dedico, consecroque; quam ab auctore, operisque genio et indole paternitati tuae commendatiorem fore, non vanus auguror. Dom. Henricum Spelmannum, fidissimum regiae majestatis subditum, et, absit verbo invidia, obsequentissimum ecclesiae Anglicanae filium, auctorem habuit; qui olim, cum ecclesiam Anglicanam non solum ab externo hoste, sed a filiis suis, utut spuris et schismaticis, indigne impetitam, et moerore afflictam viderat, dum alii ritus ejus decoros, ordinesque sacros, auctoritate apostolica institutos, oppugnant, alii sacrum ejus patrimonium ausu nefario et sacrilego invadunt, his malis obviam ivit, fidentius nescio an fortius: matri innocentissimae, afflictæ licet, suppetias tulit, nec injurias ipsi contra jus fasque illatas, ire inultas patiebatur; sed ^a scriptis in lucem editis ecclesiam, justus innocentiae maternae vindex, tutabatur. Secundo, opus ipsum si spectes, synodos, decreta, et constitutiones ecclesiae Anglicanae, jam inde a ^b Gulielmo I. ad Henricum VIII. continet; eoque nomine paternitati tuae non ingratum fore auguror. Nihil enim absolum, aut a ratione recta alienum agit, qui concilia summo conciliorum praesidi incorrupta et illibata fideliter exhibet. Avus meus (quod norunt omnes, qui illum norunt) codicum antiquorum fidem summa cum religione infecutus est. Manuscriptis nil additum aut detractum, immutatum nihil. Conciliorum canones, tam haeterodoxos, quam orthodoxos, prout in autographis, membranisque manu exaratis invenit, edidit. Pias pontificiorum fraudes in expurgandis, quod aiunt, antiquorum scriptis impias semper credidit.

Non ^c tali auxilio, nec defensoribus istis
Christus eget.

Qui veteris ecclesiae monumenta, quae ipsi non sapiunt, mutat, mutilatve, non edit antiqua, sed condit nova; synodorum decreta juris publici non facit, sed proprii cerebelli somnia. Majorum errores naevosque, juxta ac virtutes scire, posteritatis interest; ut ex his pios et intelligentes, ex illis homines fuisse sciat. Ut nautis convenit, non solum oceani et maris loca navigationi opportuna, sed Scyllas etiam, et Syrtes, Charybdes, et scopulos scire, quo tutius navigent et securius; ita reipublicae ecclesiasticae Palinuri, qui ecclesiae clavum a Deo sibi demandatum moderantur, si errorum scopulos et haeresium syrtes ex historiis antiquis et synodorum actis probe intelligant, illas cautius vitabunt, et ecclesiae navem ad optatum salutis portum facilius deducunt et felicius. Fatendum ideo, in hac synodorum Συνοδὸν nonnulla esse a veritate forsitan et pietate aliena, nec

^a De decimis, De non temerandis ecclesiis, De conciliis, etc.

xxii. Vide epist. ejus ad lectorem tom. CONCILIORUM I. praefixam.

^b Hoc est ab anno Christi MLXVI. ad ann. Hen. VIII.

^c Intercipere scripta, et publicatam velle submergere lectionem, non est deos defendere, sed veritatis testificationem timere. Arnob. adversus Gentes lib. III.

Scripturae oraculis, aut ab ecclesia Anglicana probatae doctrinae consona. Habet, quod olim de Aegypto Homerus,

^a — πολλα ἢ ἐσθλά, μεμίσθια, πολλα ἢ λυγρὰ.

^e Sunt quaedam bona, sunt mediocria, sunt mala multa.
Quae legis; hic aliter non fit, avite, liber.

Libri, quod olim dixit vir^f magnus, sunt pharmacopolarum tabernis simillimi (sacros codices excipio) quae venena continent aequae ac antidota; quorum utraque ad sanitatem procurandam firmandamque, si a medico eorum usus callente attemperentur, sunt accommodata. Majorum lapsus et errata, quae in eorum scriptis occurrunt saepius, morbos esse fateor, et scripturae vulnera; “Quibus medendum porro,” quod ait^g Jesuita doctus, et ultra gregales suos ingenuus, “praemonitione, non litura; non scalpello, sed calamo. Alioquin bona pars scriptorum patrum orthodoxorum periret et evanesceret.”

Tomum Conciliorum primum avus meus ipse edidit, judicium de rebus dubiis saepiuscule interposuit, librariorum ~~παροξυσμῶν~~ et lapsus indicavit, notasque (hic illic) lectori profuturas addidit; sed illo morte, nisi quod Deo aliter visum est, immatura terris erepto, haec omnia in Tomo, quem jam damus, secundo et posthumo desiderantur. Ut hoc damnum si non ex asse, ex parte tamen aliqua resarciri posset, vir^h optimus, et antiquitatis Britannicae scientissimus, pro sua in Spelmani nomen et rempublicam literariam benevolentia, partui huic post parentis fatum nascituro, obstetrices manus ultro praestitit, prelo et editioni praefuit, multa ex archivis tuae paternitatis, ecclesiae Cantuariensis registris, et Bibliothecae Cottonianae manuscriptis summa cum diligentia fideliter transcripsit, et una edidit; ita ut jam integras pene synodorum omnium Britannicarum, et constitutionum ecclesiasticarum pandectas Britanniae suae dederit avus meus: in quibus majorum instituta viri docti videant, qua arte ecclesia vetus unitatem intemeratam suis praestiterit, quibus legibus schismaticos coercuerit, quibus fraenis cohibuerit, quibus constitutionum repagulis seditiosorum licentiam represserit, ne ex libertate nimia illud ecclesiae, quod olim Graeciae accideret; quae, si Ciceroniⁱ fides, “Hoc uno malo concidit, libertate immoderata, et licentia concionum.”

Deus optimus maximus paternitatem tuam nobis, ecclesiae, reiue publicae christianae quam diutissime servet incolumem. Ita vovet

Reverendissimae paternitatis tuae

Filius et cultor humillimus,

Dat. 18. cal. Julii,
A. D. MDCLXIV.

CAROLUS SPELMAN,

HENRICI ^ε μακαρίτη nepos.

^a Hom. Odyss. VIII. vers. 230. ^e Martialis. ^f Fran. Bacon Verulamius. ^g Feu-Ardentius praemonit. ad lect. cap. xxxii. lib. V. Irenaei adversus haereses praefixa, pag. 494. ^h G. Dugdalus in illustri Heraldorum Col. provinciae Transfrentanae Armorum rex, vulgo Norroy seu North Roy, a situ provinciae suae boreali sic dictus.

ⁱ Cicero Oratione 24. pro Flacco, tom. operum II. Gen. MDLXXXIV.

Modus tenendi synodos in Anglia primaevis temporibus. Ex MS. Cotton. Cleop. C. viii. f. 35. V. Ord. Rom. in Bibl. Patr. tom. XIII. [Spelm. vol. II. p. 1. seqq.]

SANCTA synodus bis in anno decrevit habere concilia; unum aestate, aliud tempore autumnii. Quisquis autem clericorum ad haec non venerit, absque necessitatis causa, anno integro non praesumat missam celebrare. Prima die, et secunda, et tertia, hora convenienti, quando episcopo vel ejus vicario visum fuerit, omnes sequentur cruces cum letania, et ingrediuntur synodum, ejectis omnibus ab ecclesia, obseratisque foribus cunctis. Tunc ad unam januam, per quam sacerdotes ingrediantur, ostiarii stent, et sella ponatur in medio, et super eam sacrae reliquiae, et plenarium cum stola

ponantur. Deinde convenientes omnes presbyteri intersint, et secundum ordinationis suae tempus resideant. Post hos ingrediantur diaconi probabiles, quos ordo poposcerit interesse. Exinde introducantur laici bonae conversationis, vel qui electione conjugali interesse meruerint. Tunc ingrediatur episcopus, si voluerit, vel necessitas exegerit; et si non aderit episcopus, ejus vicarius eadem faciat. Tunc dicat diaconus, “Orate;” deinde, “Erigite vos;” tunc episcopus versus ad orientem, mediocri voce dicat, “Deus vobiscum.”

“Deus

“Deus humilium visitator, qui nos fraterna dilectione consolatoris, praetendē societati nostrae gratiam tuam, ut per eos in quibus habitas, tuum in nobis sentiamus adventum.” Tunc procedens diaconus, cum subdiacono, thuribulo, et ceroferariis duobus, episcopo benedicente, legat evangelium secundum Lucam, “Designavit Dominus et alios septuaginta duos,” usque “Dignus est enim operarius mercede sua.” Hymn. “Veni Creator.”

“Assumus S. Spiritus assumus peccati quidem immanitate detenti, et in nomine tuo specialiter congregati; veni ad nos, dignare illabi cordibus nostris; doce nos quid agamus, quo gradiamur; ostende qualiter tibi in omnibus placeamus, quidque efficere valeamus: esto solus et suggestor et effector iudiciorum nostrorum, qui solus cum Deo Patre et ejus Filio nomen possides gloriosum. Non nos patiaris perturbatores esse justitiae, qui summae veritatis diligis aequitatem, ut in sinistram nos non ignorantia trahat, non favor inflectat, nec acceptio muneris vel personae corrumpat; et junge nos tibi, solius gratiae tuae dono, ut simus in te unum, et in nullo deviemus a vero; quatenus in nomine tuo collecti, sic in cunctis teneamus cum moderatione pietatis justitiam, ut hic in nullo a te nostra dissentiat sententia, et infuturo pro bene gestis consequamur praemia sempiterna, praestante te, qui solus cum Deo Patre ejusque Filio vivis et regnas et dominaris Deus per omnia secula seculorum.” Deinde, cunctis in ordine cum silentio sedentibus, episcopus, vel, si noluerit, diaconus, alloquitur concilium cum exhortatione hujusmodi.

“Ecce sanctissimi sacerdotes et fratres praemissis Deo precibus, fraternitatem vestram cum pia exhortatione convenio, et per divinum nomen obtestor, ut ea quae a nobis de Deo et facris ordinibus, aut sanctis moribus vobis fuerint dicta, cum summa reverentia suscipiatis, et cum omni pietate intendatis; quodsi forsitan aliquis nostrum aliter quam dicta fuerint senserit, sine aliquo scrupulo contentionis in nostrorum omnium collatione ea, de quibus ipse dubitaverit, conferenda deducat, qualiter, Domino mediente, aut doceri possit aut doceat. Deinde, simili vos obtestatione conjuro, ut nullus vestrum in judicando aut personam accipiat; aut quolibet favore vel munere pulsatus a veritate discedat; sed cum tanta pietate quicquid coetui nostro se judicandum intulerit retractare, ut nec discordans contentio ad subversionem justitiae inter nos locum inveniatur, nec item in requirenda aequitate, vigor nostri ordinis, vel sollicitudo tepescat.” Post hanc exhortationem, quisquis clericorum velit, conferat querelam; et admonendi sunt, ut nullus ad synodum veniat nisi jejunos; vel inde secedat antequam generaliter secessio adveniat; et sic synodus primae diei solvatur.

Benedictio primae diei.

“Qui dispersos Israel congregat, ipse vos hic et ubique custodiat, Amen: et non solum vos custodiat, sed ovium suarum custodes idoneos

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efficiat, Amen. Ut cum summo pastore Christo, de gregum suorum pastione gaudeatis in caelo, Amen. Quod ipse praestare dignetur.”

Secunda die, similiter ut prima, ingrediantur synodum cum plena processione; et dum steterit in loco suo episcopus, vel ejus vicarius, dicat diaconus, “Orate.” Deinde, “Erigite vos.” Tunc episcopus versus ad orientem, mediocri voce dicat, “Dominus vobiscum. Et cum Spiritu tuo.”

“Deus, qui nobis famulis tuis, praesentiae tuae signa manifestas, mitte super nos spiritum charitatis, ut in adventu fratrum conservorumque nostrorum gratia nobis tuae largitatis augeatur per Dominum.” Postea legatur evangelium “Convocatis ille duodecim apostolis,” usque “Evangelizantes et curantes ubique.” Tunc omnes laici egrediantur, et legatur a diacono Homilia S. Gregorii, a versu, “Messis quidem multa,” usque “Patres minime esse recognoscunt.” Deinde, si clerici non habeant querelam, laici intromittantur; illis etiam audientibus, lectio recitetur Nicaeni concilii. “Judices non nisi jejuni leges et judicia discernant.” Quisquis ex laicis habet querelam, iudicibus proferat; et synodus secundae diei sic solvatur.

Benedictio secundae diei.

“Dominus mentis et linguae corporalis, et spiritualis, det vobis incrementa gratiae sacerdotalis, Amen; atque vobis ad dexteram constitutis, participium tribuat regni caelestis, Amen. Quod ipse praestare dignetur, qui nos ante constitutionem mundi praedestinos, et ante finem seculi justificados praescivit, per infinita secula seculorum, Amen.”

De tertia die.

Tertia die, ut prima, ingrediantur synodum cum plena processione. Et dum steterit in loco suo episcopus vel vicarius ejus, dicat diaconus, “Orate.” Deinde, “Erigite vos.” Tunc episcopus versus ad orientem, mediocri voce dicat, “Dominus vobiscum. Et cum Spiritu tuo.”

“Protege, Domine, quaesumus nos famulos tuos subsidiis mentis et corporis, et spiritualibus enutrients alimentis, propitius redde securos ab hostibus universis, per Dominum.” Postea legatur evangelium, “Misit ille xii. discipulos, praecipiens eis, et dicens, In viam gentium ne abieritis,” usque “Et simplices sicut columbae.” Deinde, si quae sint quaestiones et querelae, conferantur. Postea vero, episcopus moneat clerum, et doceat populum; atque in fine praedicationis remissionem peccatorum faciat. Deinde diaconus alta voce imponat, “Te Deum laudamus,” interim canente populo “Kyrieleyson:” finita ea laude, dicat diaconus hanc antiphonam, “In viam pacis;” cum Psalmo, “Benedictus Dominus Deus Israelis:” finita autem, dicat diaconus alta voce; “Humiliate vos ad benedictionem.

“Omnipotens Dei Filius, qui et initium et finis, complementum vobis tribuat charitatis,

Amen:

9 O

Amen: et qui vos ad expletionem hujus fecit pervenire synodi, absolutos vos efficiat ab omni contagione delicti, Amen: ut ab omni reatu liberiores effecti, absoluti etiam per donum Spi-

ritus S. felici reditu vestrarum sedium cubilia repetatis illaesi, Amen: quod ipse praestare dignetur, qui cum Patre et Spiritu Sancto, etc.

Gulielmus I. rex spoliat monasteria, episcopatus et abbatias (pro baroniarum more) sub militari statuit servitute, etc. Ex Matt. Paris. in anno. [Ann. Dom. MLXX. Spelm. vol. II. p. 4.]

ANNO Domini MLXX. Willielmus pessimo usus consilio, omnia Anglorum monasteria auro spolians et argento, insatiabiliter appropriavit, et ad majora sanctae ecclesiae opprobria, calicibus et feretris non pepercit.

Episcopatus quoque et abbatias omnes quae baronias tenebant, et eatenus ab omni servitute seculari libertatem habuerant, sub servitute statuit militari, inrotulans singulos episcopatus et abbatias pro voluntate sua, quot milites sibi et successoribus suis, hostilitatis tempore, voluit a singulis exhiberi. Et rotulos hujus ecclesiasticae

servitutis ponens in thesauris, multos viros ecclesiasticos huic constitutioni pessimae reluctantes, a regno fugavit.

Sub hac tempestate Stigandus, Cantuariensis archiepiscopus, et Alexander Lincolnensis, facto ad Scotos diffugio, moram ad tempus fecerunt ibidem. Solus inter omnes Angliae praelatos Egelwinus Dunelmensis episcopus exul et proscriptus, velum Dei habens excommunicavit universos ecclesiae invasores et rerum ecclesiasticarum raptos.

Concilium Windleshorae, praecepto Alexandri papae, nutuque regis Willielmi Conquestoris habitum, in causa primatus Cantuariensis ecclesiae super Eboracensem. Ex W. Malmesb. De gestis pontif. Angl. lib. I. [Ann. Dom. MLXXII. Ibidem p. 5.]

ANNO ab incarnatione Domini Jesu Christi millesimo septuagesimo secundo, regni vero Willielmi, gloriosi regis Anglorum et ducis Normannorum sexto, pontificatus autem domini Alexandri papae undecimo, in praesentia regis et episcoporum atque abbatum ventilata est causa de primatu, quem Laufrancus Dorobernensis archiepiscopus super Eboracensem ecclesiam, jure suae ecclesiae proclamabat; et de ordinationibus quorundam episcoporum, de quibus ad quem specialiter pertinerent, certum minime constabat. Et tandem aliquando diversis diversarum causarum auctoritatibus probatum atque ostensum est; quod Eboracensis ecclesia Cantuariensi ecclesiae debeat subiacere, ejusque archiepiscopi, ut primatis totius Britanniae dispositionibus, in iis quae ad christianam religionem pertinent, in omnibus obedire. Subjectionem vero Dunelmensis, hoc est Lindisfarnensis episcopi, et omnium regionum a terminis Licefeldensis episcopi, et Humbrae magni fluvii, usque ad extremos fines Scotiae; et quicquid ex hac parte praedicti fluminis ad parochiam Eboracensis ecclesiae jure competit, Cantuariensis metropolitanus Eboracensi archiepiscopo, ejusque successoribus in perpetuum ob-

tinere concessit; ita ut si Cantuariensis archiepiscopus concilium cogere voluerit, ubicunque ei visum fuerit; Eboracensis archiepiscopus sui praesentiam, cum omnibus sibi subjectis episcopis, ad nutum ejus exhibeat, et ejus canonicis dispositionibus obediens existat. Quod autem Eboracensis archiepiscopus professionem archiepiscopo Cantuariensi facere etiam cum sacramento debeat Lanfrancus, Dorobernensis archiepiscopus, ex antiqua antecessorum consuetudine ostendit, sed ob amorem regis, Thomae, archiepiscopo Eboracensi sacramentum relaxavit, scriptamque tantum professionem recepit, non praejudicans successoribus suis, qui sacramentum cum professione a successoribus Thomae exigere voluerint. Si archiepiscopus Cantuariensis vitam finierit, Eboracensis archiepiscopus Doroberniam veniet, et eum qui electus fuerit, cum caeteris praefatae ecclesiae episcopis ut primatem proprium jure consecrabit. Quod si archiepiscopus Eboracensis obierit, is qui ei successurus eligitur accepto a rege archiepiscopatus dono, Cantuariam, vel ubi Cantuariensi archiepiscopo visum fuerit, accedet, et ab ipso ordinationem canonico more suscipiet.

Concilium Anglicanum in quo S. Wulfstanus, Wigornens. episcopus deponitur anno Dom. MLXXIV. tempore Gregorii papae VIII. Ex Binio Concil. tom. III. [Spelm. vol. II. p. 7.]

IN rebus gestis a S. Wulfstano, apud Surium 19. die Januarii, legitur; quod hoc anno MLXXIV. habita fuerit in Anglia synodus, qua

injusto iudicio synodali depositus est S. Wulfstanus, quem magno miraculo ipse Deus paulo post sedi suae restituit.

Aliud exemplar concilii Londoniensis an. Dom. MLXXV. praesidente Lanfranco archiepiscopo Doroberniae, et Thoma Eborac. archiepiscopo, et caeteris episc. cum synodorum usus diu jam ante obsoleverat. Ex Malmsh. De gest. pontif. Cant. p. 213. et Binio tom. III. col. 1208. [Ibidem p. 9. seq.]

ANNO Domini millesimo septuagesimo quinto, regnante Willielmo anno nono, congregatum est concilium in Londonia, praesidente Lanfranco archiepiscopo Doroberniensi, confidentibus secum Thoma archiepiscopo Eboracensi, et caeteris episcopis. Roffensis ecclesia per id tempus pastore carebat. Lindisfarnensis (qui et Dunelmensis episcopus) canonicam excusationem habens, concilio interesse non potuit. Et quod multis retro annis in Anglico regno usus conciliorum obsoleverat; renovata sunt nonnulla, quae antiquis etiam fuerant canonibus definita. Ex concilio igitur Toletano quarto, Milevitano, atque Bracarenfi statutum est, ut singuli, secundum ordinationis suae tempora sedent, praeter eos qui ex antiqua consuetudine, siue suarum ecclesiarum privilegiis, digniores sedes habent. De qua re interrogati sunt senes et aetate proveci, quid vel ipsi vidissent, vel a maioribus aut antiquioribus veraciter ac probabiliter ipsi audissent: super quo responso petita sunt induciae ac concessae usque in crastinum.

Crastina autem die concorditer perhibuere, quod Eboracensis archiepiscopus ad dextram Dorobernensis sedere debeat; Londoniensis episcopus ad sinistram; Wentanus juxta Eboracensem; si vero Eboracensis desit, Londinensis ad dextram, Wentanus ad sinistram. Ex regula beati Benedicti, et ex antiqua regularium locorum consuetudine, ut monachi proprium ordinem

tenerent, et proprietate careant: si quis verum cum proprietate inconfessus obierit, in coemeterio non sepeliatur. Ex decretis summorum pontificum Damasi et Leonis, necnon ex conciliis Sardicensi et Laodicensi, in quibus prohibetur episcopales sedes in villis existere, concessum est regia munificentia, et synodali auctoritate, episcopis transire ad civitates, Hermano de Schireburne ad Salesberiam, Stigando de Selesia ad Cicestriam, Petro de Lichfield ad Cestriam. Ex multis Romanorum praefulum decretis, diversisque sacrorum canonum auctoritatibus, ne quis alienum clericum, vel monachum, sine commendatoriis literis ordinet, vel retineat. Ad comprimendum quorundam indiscretorum insolentiam ex communi decreto sancitum est, ne quis in concilio loquatur praeter licentiam a metropolitano concessam, exceptis episcopis et abbatibus. Ex decretis Gregorii Majoris, et Minoris, ut nullus de propria cognatione, vel uxoris defunctae, seu quam cognatus habuit, uxorem accipiat, quoadusque parentela ex alterutra parte ad septimum gradum perveniat. Ut nullus sacros ordines seu officium ecclesiasticum emat, vel vendat. Ne sortes seu divinationes ab aliquo exercentur. Ex conciliis Helibertano et Toletano decimo, ut nullus episcopus vel abbas seu quilibet ex clero hominem truncandum membris vel occidendum iudicet, vel iudicantibus faveat.

Forma professionis castitatis ab ordinandis suscipiendae. [Ibidem p. 11.]

EGO frater N. promitto Deo omnibusque sanctis ejus castitatem corporis mei secundum canonum decreta, et secundum ordinem mihi imponendum servare, domino praesule N. praesente.

In principio libri epistolarum Aelfrici antiqui. MS. et ecclesiae Wigornensi spectante, extat haec eadem formula, ut ab ipso Wulfstano, qui huic interfuit concilio [Wintoniensi sc. A. C.

MLXXVI] est exhibita; viz. ego frater N. promitto Deo, etc. etc. ut supra: et in fine domino praesule Wulfstano praesente.

Hujus canonis observatio, vel ex eo apparet; quod Gerardus archiep. Eboracensis, Anselmo archiepisc. Cantuariæ postea scribit. Cum ad ordines aliquos invito, dura cervice renituntur, ne in ordinando castitatem profiteantur.

Rex Henricus I. praesulem confert episcopatu S. Andreae in Scotia ann. Dom. MCVII. Ex Rog. Hoved. in. MLXXIV. [Spelm. vol. II. p. 29.]

ALWINUS prior Dunelmensis, Turgotum Anglum de genere non infimo, a Walchero episcopo Dunelmensi ad ipsum missum suscepit, et susceptum ille regulariter probavit, et probato monachicum quandoque habitum tradidit, atque ita verbo informavit et exemplo, ut eidem defuncto, jubente Willielmo episcopo, successore Walcheri, in Dunelmensis ecclesiae succederet prioratum, quod per viginti annos

strenue administravit, duodecim diebus minus. Anno enim episcopatus Ranulfi (qui Willielmo successit) octavo, imperante Alexandro rege Scottorum, ab Henrico rege Anglorum assumitur ad episcopatum ecclesiae S. Andreae. Haec ille. Annus autem octavus Ranulfi episcopi anno convenit Domini MCVII. et hic VII. vel VIII. Henrici I.

Archiepisc. Ebor. professionem facit archiepisc. Cant. [A. D. MCIX. Ibid. p. 33.]

ANSELMUS archiepiscopus Cantuar. moritur [Eadm. p. 102.] 11. Maii ultimi: gravi jam tum pendente lite inter ipsum, et Thomam electum Eboracensem archiepiscopum: quem sub perpetuo anathemate, consecrari Anselmus prohibuerat, donec subjectionis professionem ecclesiae Cantuar. debitam spondidisset. Renuit hoc enim Eboracensis, longisque domi et foris res ambagibus agitur: papa ab Anselmi partibus se habente. Cogit igitur rex concilium, professusque nolle semet vel ad horam, excommunicationi Anselmi subiacere aliquatenus: episcoporum atque procerum assensu (juxta antiqua pontificum Romanorum privilegia,

et decretum patris sui, tempore Lanfranci archiepiscopi latum) statuit; Thomam hanc professionem, sigillo regio declaratam, exhibiturum in consecratione, quod statim fecit.

Ego Thomas Eboracensis ecclesiae consecrandus metropolitanus, profiteor subjectionem et canonicam obedientiam sanctae Dorobernensi ecclesiae, et ejusdem ecclesiae primati canonice electo et consecrato, et successoribus suis canonice inthronizatis: salva fidelitate domini mei regis Henrici Anglorum, et salva obedientia ex parte mei tenenda, quam Thomas antecessor meus S. Romanae ecclesiae ex parte sua professus est.

Concilium Normanniae apud Abrincam civitatem, quo rex Henricus II. qui per legatos prius a nece Thomae, Cantuariensis archiepiscopi absolutus fuit, secundo jam absoluitur, juratusque spondet quae promiserat adimplere. Adduntur et concilii canones celebrati an. Dom. MCLXXIX. [Ibidem p. 99. seqq.]

Transmarinum hoc concilium nostratibus appono, quod ad nostrae ecclesiae historiam pertineat.

HENRICUS rex Angliae pater, et Henricus rex filius ejus, et Rotrodus Rothomagensis archiepiscopus, et omnes episcopi et abbates Normanniae convenerunt apud Abrincam civitatem, in praesentia Theodini et Alberti cardinalium: in quorum audientia rex Angliae pater, quinto calendarum Octob. feria quarta, festo sanctorum Cosmae et Damiani martyrum, in ecclesia S. Andreae apostoli purgavit innocentiam suam coram praedictis cardinalibus, et omni clero et populo, praestito sacramento super sanctorum reliquias, et super sacrosancta evangelia, quod ipse nec praecepit, nec voluit, quod archiepiscopus Cantuariensis occideretur: et quando audivit vehementer inde doluit. Sed quia malefactores illos, qui (sanctae memoriae) Thomam Cantuariensem archiepiscopum occiderunt, habere non poterat; et quia timebat ipsos illud profanum opus perpetrasse, causa animi motus eturbationis, quam in eo viderant, de satisfactione, tale praestitit sacramentum. Juravit itaque inprimis, quod ab Alexandro summo pontifice, et catholicis successoribus ejus non recederet, quamdiu ipsum sicut regem catholicum habuerint. Juravit etiam, quod neque appellationes impediret, neque impedire permetteret;

quin libere fierent in regno suo ad Romanum pontificem, in ecclesiasticis causis; ita tamen, ut si ei suspecti fuerint aliqui, securitatem faciant, quod malum suum vel regni sui non quaerant. Juravit etiam, quod ab instanti nativitate Domini usque in triennium crucem accipiet, in proxima sequente aestate, in propria persona Jerosolymam iturus, nisi remanserit per Alexandrum summum pontificem, vel per catholicos successores ejus: sed si interim pro urgente necessitate in Hispaniam super Saracenos profectus fuisset, quantum temporis in illo itinere consumeret, tantundem Jerosolymitanae spatium profectionis posset prolongare. Praeterea juravit, quod interim tantum pecuniae dabit Templariis, quantum ad arbitrium fratrum Templi possit sufficere ad retinendum ducentos milites, ad defensionem terrae Jerosolymitanae per spatium unius anni. Praeterea perdonavit iram et malevolentiam suam omnibus tam clericis quam laicis, qui pro sancto Thoma erant in exilio: et concessit eis libere et in pace ad propria redire. Juravit etiam quod possessiones Cantuariensis ecclesiae, si quae ablatae sunt, in integrum restituet, sicut habuit uno anno antequam ab Anglia egrederetur beatus Thomas Cantuariensis

sis archiepiscopus. Juravit etiam quod consuetudines, quae inductae sunt contra ecclesias terrae suae in tempore suo, penitus dimittet. Et haec omnia juravit se observaturum bona fide, et sine malo ingenio.

Fecit etiam Henricum regem filium suum haec omnia capitula jurare tenenda: praeter illa quae propriam ejus personam contingebant. Et ut haec in memoria Romanae ecclesiae haberentur, rex pater fecit apponi sigillum suum scripto illi, in quo supradicta capitula continebantur, una cum sigillis praedictorum cardinalium.

Charta absolutionis domini regis.

Henrico, Dei gratia illustri regi Anglorum Albertus, tituli S. Laurentii in Lucina, et Theodinus, tituli S. Vitalis presbyteri cardinales, apostolicae sedis legati, salutem in eo qui dat salutem regibus. Ne in dubium veniant, quae geruntur, et usus habet, et communis consideratio utilitatis exposcit, ut scripturae serie debeant annotari. Inde quidem est, quod nos mandatum illud in scriptum duximus redigendum, quod vobis pro eo facimus, quia malefactores illos, qui sanctae memoriae Thomam, quondam Cantuariensem archiepiscopum occiderunt, occasione motus et turbationis, quam viderant in vobis, ad illud facinus processisse timetis. Super quo tamen facto purgationem in praesentia nostra de voluntate propria praestitistis, quod videlicet nec praecepistis nec voluistis ut occideretur; et quando pervenit ad vos, plurimum condoluistis. Ab instanti festo Pentecostes usque ad annum, tantam dabitur pecuniam, unde ad arbitrium fratrum Templi, ducenti milites valeant ad defensionem terrae Hierosolymitanae, per spatium unius anni teneri. Vos autem a sequenti natalis Domini usque ad triennium accipietis crucem, proxima tunc aestate illuc in propria persona, ducente Domino, profecturi, nisi remanseritis per dominum papam, vel catholicos successores ejus. Sane si contra Saracenos pro urgente necessitate in Hispaniam profecti fueritis, quantum temporis fuerit, ex quo arripueritis iter, tantundem supradictum spatium Hierosolymitanae profectionis poteritis prolongare. Appellationes nec impedietis, nec impediri permittetis; quin libere fiant in ecclesiasticis causis ad Romanum pontificem bona fide et absque fraude, et malo ingenio, ut per Romanum pontificem causae tractentur, et consequantur effectum suum: sic tamen, ut si vobis suspecti fuerint aliqui, securitatem faciant, quod malum vestrum, vel regni vestri non quaerunt. Consuetudines, quae inductae sunt contra ecclesias terrae vestrae in tempore vestro penitus dimittetis. Possessiones Cantuariensis ecclesiae, si quae ablatae sunt, in plenum restituetis, sicut habuit uno anno, antequam archiepiscopus de Anglia egrederetur. Clericis praeterea et laicis utriusque sexus, pacem vestram in gratiam, et possessiones suas restituetis: qui occasione praenominati archiepiscopi destituti fuerunt. Haec autem vobis, auctoritate domini papae, in remissionem peccatorum vestrorum injungimus et praecipimus ob-

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servare, absque fraude et malo ingenio. Hoc sane coram multitudine personarum juravistis vos pro divinae reverentia majestatis. Juravit et filius vester, excepto eo, quod personam vestram specialiter contingebat. Et jurastis ambo, quod a papa domino Alexandro, et catholicis successoribus ejus, quamdiu vos sicut antecessores vestros, et catholicos reges habuerint, minime recedatis. Atque ut in memoria Romanae ecclesiae firmiter habeatur, sigillum vestrum praecepistis apponi.

Epistola eorundem cardinalium ad archiepiscopum Ravennensem.

Venerabili in Christo et dilecto fratri Gilberto, Dei gratia Ravennensi archiepiscopo, Albertus, dignatione divina tituli S. Laurentii in Lucina, et Theodinus, tituli S. Vitalis presbyteri cardinales, apostolicae sedis legati, quod promisit Deus diligentibus se. Quoniam desiderare vos credimus, ut de statu nostro, et de injuncti nobis promotione negotii aliquid audiat, idcirco qualiter nobiscum, et per ministerium mediocritatis nostrae Deus egerit his diebus fraternitati vestrae praesenti scripto duximus indicandum. Noveritis itaque quod postquam illustris rex Angliae venisse nos in regnum suum in veritate cognoverit, totius amoto tarditatis obstaculo, de Hibernia in Angliam, incumbentibus sibi negotiis praetermissis, de Anglia vero ad Normanniae partes accessit, atque incontinenti plures ad nos nuncios, et honorabiles destinavit; inquirens a nobis in quo loco potius convenire cum eo, et loqui vellemus. Placuit tandem ad Savinium monasterium pro colloquio habendo concurrere, ubi religiosorum virorum possemus orationibus adjuvari. Convenimus illuc, convenerunt et multae personae utriusque ordinis de regno suo, et tractavimus diligentia, qua potuimus, quod ad salutem ipsius, et injunctam nobis obedientiam pertinebat. Cum autem non possemus in omnibus convenire, recessit a nobis velut in Angliam profecturus, et nos expectavimus sequenti die ad Abrincam civitatem ituri. Postera autem die venerunt ad nos Lexoviensis episcopus, et duo archidiaconi; et concessio quod petebamus, ad praedictam processimus civitatem: ad quam Dominica, qua cantatur Vocem jucunditatis, convenimus, cum personis plurimis, et ipsi nobiscum. Et cum tanta humilitate quod fuerat conditum explevit, ut illius extitisse opus sine dubitatione credatur, qui respicit terram, et facit eam tremere. Sane quam timoratum Deo, quam obedientem ecclesiae se curaverat exhibere, non est opus praesenti abbreviatione referre: satis enim opera illius manifestant, et manifestabunt adhuc plenius, sicut et nobis spes data est in futurum. Primum itaque super morte (sanctae memoriae) Thomae, quondam Cantuariensis archiepiscopi, non de nostra exactione, sed de propria voluntate, tactis sacrosanctis evangeliiis, suam conscientiam expurgavit; jurans scilicet, quod nec praecepit, nec voluit, quod idem archiepiscopus occideretur; et quando audivit, vehementer doluit. Quia vero quod factum fuerat, ex sua occasione fa-

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ctum esse timebat, de satisfactione paranda, tale praestitit juramentum. Primo quippe juravit, quod a domino papa nostro Alexandro, et ejus catholicis successoribus non recedet, quamdiu sicut catholicum regem habuerint eum et christianum: et hoc ipsum jurare fecit filium suum majorem in charta absolutionis pro morte beati Thomae. Juravit etiam et alia clero et populo valde necessaria, quae omnia diligenter et per ordinem sicut ea juraverat in absolutionis ejus charta pernotavimus. Promisit etiam et alia de libera voluntate gerenda, quae non oportet scripturae serie denotare. Haec autem scripsimus, ut cognoscatis ipsum obedientem Deo, atque ad divinum obsequium multo amplius quam adhuc fuerit animatum. Noveritis ad hoc filium suum de praedictis consuetudinibus pariter cum eo jurasse. Sane, quod ibi factum est, iterato adhuc, ne dubitationis locus alicui remaneret, apud Cadomum in majori frequentia personarum publice statuit se acturum. Relaxavit praeterea episcopos de promissione, quam ei fecerant de consuetudinibus conservandis; et promisit, quod non exiget infuturum. In crastino autem praedicti cardinales ibidem celebraverunt magnum concilium cum archiepiscopo, et episcopis, et clero Normanniae, et ibi haec decreta subscripta statuerunt, et universis firmiter et inviolabiliter observanda injunxerunt.

Decreta per Theodinum et Albertum cardinales apud Abrincas promulgata an. MCLXXIII.

I. Pueri ad regimen illarum ecclesiarum et ad illa administranda, in quibus cura est animarum, minime admittantur.

II. Item filii sacerdotum non ponantur in ecclesiis patrum suorum.

Richardus archiep. Cantuar. fit legatus.

[Ann. Dom. MCLXXIV. Spelm. vol. II. p. 102.]

EODEM vero die quo rex apud Barbeffet applicuit (i. ut supra ibidem patet sexto idus Augusti feria quinta) habuit sibi obvios in ipso litore maris Richardum, Cantuariensem archiepiscopum, redeuntem ab Alexandro summo pontifice, cum pallio, et legatia, et primatia totius Angliae, et Reginaldum, Bathoniensem episcopum cum eo, quem idem archiepiscopus consecraverat apud S. Johannem de Mauriana, cum a Roma redissent. Et noluit rex eos secum tenere, sed misit eos in Angliam.

III. Item laici partem oblationum in ecclesia non percipiant.

IV. Item ecclesiae vicariis annuis non committantur.

V. Item sacerdotes majorum ecclesiarum, quibus ad hoc suppetunt facultates, alium sub se presbyterum cogantur habere.

VI. Item sacerdotes non ordinentur sine certo titulo.

VII. Item ecclesiae ad firmam annuam non tradantur.

VIII. Item de tertia parte decimarum nihil presbytero, qui servit ecclesiae, auferatur.

IX. Item his, qui decimas haereditario jure tenent, licentia sit cui voluerint idoneo clerico dare, eo quidem tenore, ut post eum, ad ecclesiam, cui de jure competunt, revertantur.

X. Vir ad religionem non transeat, uxore in seculo remanente, vel e converso, nisi ambo vacandi operibus carnis tempus excefferint.

XI. Item in adventu Domini omnibus, qui poterunt, maxime autem clericis et militibus, jejunium et abstinentia carniū indicatur.

XII. Item clerici Judaei non ponantur ad jurisdictiones secularium potestatum administrandas: qui autem hoc praesumpserint, a beneficiis ecclesiasticis arceantur.

XIII. Item de novis libris excommunicatorum, et rebus morientium quas auferunt sacerdotes, et benedictionibus sponfarum, et baptismo, et de quadraginta et octo libris, quae pro absolutione excommunicatorum exiguntur, nihil perfectum est, quia episcopi Normanniae illud decretum recipere noluerunt. In eodem vero concilio archiepiscopus Turonensis calumniatus est, archiepiscopatum Doli debere subiacere archiepiscopatu suo; affirmans sedem archiepiscopalem ibi esse non debere: sed clerici de Dolo constanter contradicebant.

Haecenus clarissimus SPELMANNUS.

Restat ut adjiciamus concilia habita A. D. MLXXVI. tempore regis Malcolmi III. quae ex favore doctissimi et historiarum gentis suae peritissimi viri ad manus nostras demum pervenerunt, cum in seculo XII. voluminis I. versaremur. Ad didimus etiam cardinalis Poli REFORMATIONEM ANGLIAE ex edit. Romana anno MDLXII. cujus supra pag. 126. vol. IV. mentionem injecimus.

Concilia

Concilia Scotica habita regnante Malcolm III. circa A. D. MLXXXVI. Ex vita B. Margaretæ reginae conjugis ipsius; quam vir. clar. Thomas Innesius descripsit ex codice membraneo Bibliothecae Cottonianae Tiberius D. III. num. 45. Eadem omnino est cum edita per PP. Bollandian. sub nomine Theodorici ad 10. Jun. Act. SS. Jun. To. II. p. 330. Numeri Roman. I, II, III. designant capita MS. Cotton. sectiones edit. Bolland. notant.

CAP. VIII. Sect. xiii.

RELIGIOSA, et Deo digna regina cum mente, verbo et factis ad caelestem patriam tenderet, etiam alios secum in via immaculata invitabat ire, quo secum possent ad veram beatitudinem pervenire. Malum cum videret, admonuit ut bonus fieret; bonum, ut melior existeret; meliorem, ut optimus esse studeret. ^aQuam fide apostolica ferventem zelus domus Dei, quae est ecclesia, comedit, unde quaeque illicita, quae in illa pullulaverant, eradicare penitus laboravit. Cum enim contra rectae fidei regulam, et sanctam universalis ecclesiae consuetudinem multa in gente illa fieri perspexisset, crebra concilia statuit, ut, quoquo modo valeret, ad veritatis viam errantes, Christo donante, reduceret. Quorum conciliorum illud caeteris principalius esse constat, in quo sola cum paucissimis suorum contra perversae consuetudinis assertores gladio Spiritus, quod est verbum Dei, triduo dimicabat: crederes alteram Helenam ibi residere, quia sicut illa quondam scripturarum sententiis Judaeos, similiter nunc et haec regina convicerat erroneos. Sed in hoc conflictu rex ipse ^badjutor ei praecipuus residebat, quodcumque in hac causa illa jussisset dicere paratissimus et facere. Qui quoniam perfecte Anglorum linguam aequae ac propriam noverat, vigilantissimus in hoc concilio utriusque partis interpres extiterat.

Sect. xiv.

Igitur regina praefatione praemissa, ut, qui cum catholica ecclesia in una fide uni Deo servirent, ab eadem ecclesia novis quibusdam et peregrinis institutionibus discrepare non deberent; primum proposuit quadragesimale jejunium eos legitime non observare, quia hoc non cum sancta ubique ecclesia a feria quarta in capite jejunii, sed sequenti septimana ^cferia secunda consueverant inchoare. Contra illi jejunium, inquiunt, quod agimus evangelica auctoritate, quae Christi narrat jejunium, per sex hebdomadas observamus. At illa, longe, ait, in hoc evangelio discordatis: legitur enim ibi Dominum quadraginta diebus jejunasse, quod manifestum est vos non facere. Nam cum per sex hebdomadas sex dominici dies a jejunio abstrahuntur, triginta tantum et sex dies ad jejunandum remanere noscuntur. Non ergo evangelica Christi, sed triginta et sex dierum constat vos observare jejunium. Restat igitur, ut quatuor

diebus ante Quadragesimae initium jejunare nobiscum incipiat, si dominico exemplo quadraginta dierum numero abstinentiam observare volueritis; alioquin contra ipsius Domini auctoritatem, et totius sanctae ecclesiae vos soli repugnabitis traditionem. Hac illi perspicua veritatis oratione convicti, deinceps, sicut sancta ubique solet ecclesia, sacrorum jejuniorum coeperunt inchoare solennia.

CAP. IX. Sect. xv.

Aliud quoque proponens regina jussit, ut ostenderent, qua ratione die sanctae Paschae secundum morem sanctae et apostolicae ecclesiae sacramenta corporis et sanguinis Christi sumere negligerent. Respondentes illi, Apostolus, inquit, de his loquens ait, "Qui manducat et bibit indigne, judicium sibi manducat et bibit." Unde quia nos peccatores recognoscimus, ne judicium nobis manducemus et bibamus, ad illud mysterium accedere formidamus. Quibus regina, Quid igitur, inquit, omnes qui peccatores sunt, sacrosanctum mysterium non gustabunt? Nemo ergo illud sumere debet, quia nemo sine sorde peccati, nec infans, cujus est unius diei vita super terram. Si autem nemo illud percipere debet, cur Domino dicente clamat evangelium "Nisi manducaveritis carnem filii hominis, et biberitis ejus sanguinem, non habebitis vitam in vobis." Sed plane sententiam, quam de apostolo profertis, secundum patrum intellectum aliter necesse est intelligatis. Non enim omnes peccatores sacramenta salutis indigne sumere deputat. Cum enim dixisset, judicium sibi manducat et bibit, addidit, non dijudicans corpus Domini; hoc est, non separans illud in fide ab escis corporalibus, judicium sibi manducat et bibit. Sed et ille, qui absque confessione et poenitentia cum suorum inquinamenti scelerum ad sacra mysteria accedere praesumpserit, ille, inquam, judicium sibi manducat et bibit. At nos, qui, multis ante diebus facta peccatorum confessione, poenitentia castigamur, jejuniiis attenuamur, eleemosynis et lachrymis a peccatorum sordibus abluimur, in die Resurrectionis dominicae ad ejus mensam in catholica fide accedentes, carnem et sanguinem agni immaculati Jesu Christi, non ad judicium, sed ad peccatorum sumimus remissionem, et salutarem percipiendae beatitudinis aeternae praeparationem. His ab ea perceptis, respondere nihil potuerunt, atque agnita deinceps ecclesiae instituta in mysterii salutaris perceptione observaverunt.

^a Quoniam. Bolland. ^b Malcolm III. ^c Mos idem hactenus durat in provincia Mediolan. ubi non nisi feria secunda post dominicam 1. Quad. inchoatur jejunium quadragesimale.

CAP. X. Sect. xvi.

Praeterea in aliquibus locis Scotorum quidam fuerunt, qui contra totius ecclesiae consuetudinem, nescio quo ritu barbaro, missas celebrare consueverant; quod regina zelo Dei accensa, ita destruere atque annihilare studuit, ut deinceps qui tale quid praesumeret, nemo in tota Scotorum gente appareret.

Solebant quoque neglecta dominicorum dierum reverentia ita illis, sicut aliis diebus quibusque terreni operis insistere laboribus; quod non licere ratione pariter et auctoritate ipsa ostendebat: Dominicum inquit, diem, propter dominicam, quae in eo facta est, resurrectionem, in veneratione habeamus, ut in eo servilia opera jam non faciamus, in quo nos a servitute diaboli redemptos novimus. Hoc et B. pater Gregorius affirmans dicit: "Dominico die a labore terreno cessandum est, atque omnimodo orationibus insistendum, ut, si quid negligentiae per sex dies agitur, per diem Resurrectionis dominicae precibus expiatur." Idem quoque pater Gregorius quendam propter opus terrenum, quod die dominico fecerat, di-

stricta increpatione feriens, eos, quorum hoc consiliis egerat, duobus mensibus excommunicatos esse decrevit. His sapientis reginae rationibus contraire non valentes, ita postmodum reverentiam dominicorum dierum ejus instantia observarunt, ut nec onera quaelibet his diebus quisquam portare, nec alius alium ad hoc aude- ret compellere.

Illicita etiam^d novercarum conjugia similiter et uxorem fratris defuncti fratrem superstitem ducere, quae ibi antea fiebant, nimis ostendit execranda, et a fidelibus velut ipsam mortem devi- tanda.

Multa quoque alia, quae contra fidei regu- lam, et ecclesiasticarum observationum instituta inoleverant, ipsa in eodem concilio damnare, et de regni sui finibus curavit proturbare. Univer- sa enim, quae praeposuerat, ita sanctae scriptu- rae testimoniis atque sanctorum patrum corro- boravit sententiis, ut contra haec nihil omnino respondere valerent, quin potius deposita perti- nacia rationi acquiescentes, universa libenter implenda susciperent.

^d Eosdem in matrimoniis contrahendis abusus inter Hibernos etiam invaluisse his temporibus patet ex literis S. Anselmi Cantuarien. in Sylloge epistolarum Hibernicarum ab Usserio Armachano editis.

Notatione dignum est quod inter pravas illas consuetudines, quas apud Scotos viguisse et a S. hujus reginae monitis et aucto- ritate sublatis sigillatim, et quasi de industria exponit hujus vitae scriptor Anglus, nusquam meminerit execrabilis illius de marcketis mulierum consuetudinis, quam ab Evino quodam tertio, uno ex quadraginta Veremundianis regibus introductam fabulatur Boethius, et a S. Margareta regina abolitam. Unde manifestum est hanc cum tot aliis a Boethio mutuatis fabulis e Veremundo suo, non modo ex historiis Scotorum, sed ex omni hominum memoria, si fieri posset, expungi debere. Vide Boeth. hist. Scotor. Edit. MDLXXIV. fol. 35. num. x. xx. et fol. 260. num. x.

Reformatio Angliae, ex decretis Reginaldi Poli cardinalis, sedis apostolicae legati
A. D. MDLVI *.

REGINALDUS, miseratione divina sanctae Ma- riae in Cosmedin sanctae Romanae ecclesiae diaconus cardinalis, Polus nuncupatus, ad fere- nissimos Philippum et Mariam, Angliae reges, fidei defensores, et ad universum Angliae re- gnum sanctissimi domini nostri papae, et sedis apostolicae de latere legatus, ad perpetuam rei memoriam. Cum felicis recordationis, Julius papa III. post allatum ei nuncium, serenissi- mam Mariam, Henrici VIII. regis filiam, tum Angliae principem, quae semper in recta fide, religioneque firmam sese atque constantem prae- stitisset, summo consensu, atque una omnium voce reginam declaratam fuisse, in magnam spem adductus esset, fore, ut hoc regnum ad sanctae catholicae ecclesiae unionem, a qua com- plures annos separatum fuerat, revocaretur; ut id quamprimum fieret, nos, pro pastoralis suo officio et paterna charitate, suum, et apostoli- cae sedis legatum de latere ad ipsam Mariam re- ginam, et universum hoc regnum misit: quod onus, licet humeris nostris impar, tamen, ut e- jus mandatis obediremus, divino favore et gra- tia freti, suscepimus; atque eo promptius, quod etiam debita erga patriam charitas ad id nos im- pellebat. Ac Dei quidem inprimis benignitate,

spicere dignatus est, tum serenissimorum Mariae reginae, et Philippi regis, quem illi matrimo- nio conjunctum, Deus in hac praeclara et san- cta actione adiutorem esse voluit, et ad quem etiam idem Julius nos legatum postea declaravit, studio et opera, summaque erga ipsum Deum pietate effectum est, ut hoc regnum ad unitatem sanctae catholicae ecclesiae, et Romani pontificis obedientiam rediret. Cumque postmodum, eo- dem Julio primum, deinde Marcello II. felicitis recordationis, hac vita defunctis, reverendissimus dominus Johannes Petrus Carafa, episcopus O- stiensis, ad summum apostolatus apicem assum- ptus fuisset, Paulus IV. nuncupatus (quem De- us ecclesiae suae diu fervet incolumem) sancti- tati ejus placuit, ut in hoc legationis munere perseveremus, ut ea, quae jam in ejusdem uni- tatis negotio confecta erant, magis stabilirentur, utque ecclesia haec Anglicana, quae ob praete- riti schismatis calamitatem in doctrina et mori- bus valde deformata esset, ad veterum patrum et sacrorum canonum normam reformaretur. Nos igitur tam pia sanctitatis ejus voluntati o- bedire cupientes, pro legationis nostrae munere ad ipsum reformationis opus nobis incumben- qui populum hunc misericordiae suae oculis re-

* Supra pag. 121. seqq. ex MS. Cotton. et Cantabrig. *Constitutiones legatinas* cardinalis Poli, in nonnullis locis mendosas exhibuimus, quas editores Romani sub nomine *Reformationis Angliae* accuratius et auctius post obitum ipsius divulgaverunt. Quia autem tractatum hunc illi loco haud commode inserere potuimus, ne lector eo careat, Appendici reservavimus.

dum esse statuimus. Cumque nostro hac in re consilio cum nonnullis episcopis communicato, cum ipsis contulissimus, qua ratione id facilius et commodius effici posset; visum est, universos hujus regni episcopos convocari oportere, qui et de abusibus nos admonerent, et de eorum remediis nobiscum simul consultarent. Itaque tum ob hanc causam, tum ut eorum bonorum, quae superiorum temporum injuria ab ecclesiis ablata, ipsorum serenissimorum regum pietate nunc eis restituta sunt, ratio quaedam et dispositio ad Dei gloriam, et cleri ac populi utilitatem constitueretur, hoc potissimum tempore, quo in hac regia Londini urbe ad parlamentum episcopi totius regni, et universus clerus provinciae Cantuariensis congregati essent, serenissimis rege et regina pro sua pietate id valde probantibus, synodum episcoporum, et reliqui hujus regni cleri, qui provincialibus synodis de jure vel de consuetudine interesse consuevit, bonae memoriae Othonis et Othoboni, aliorumque sanctae sedis apostolicae in hoc regno legatorum, praedecessorum nostrorum, exempla secuti, auctoritate apostolica nobis in hac legatione, qua fungimur, concessa, convocavimus et celebravimus. In qua synodo postquam omnia fere, quae ad ipsorum bonorum ecclesiasticorum dispensationem pertinerent, constituissimus, ad ea in reformationis causa constituenda, quae magis necessaria videbantur, nos convertimus, eo quidem majore cura et studio, quod ejus sanctitas literis et ad nos, et ad universos episcopos scriptis, ad id vehementer hortata est; et ad sanctorum patrum instituta, quantum ratio et infirmitas praesentis temporis pateretur, proxime accedentes, cum totius synodi consilio et assensu ea, quae in sequentibus decretis continentur, Deo adjuvante, statuimus atque decrevimus. Universos igitur et singulos hujus regni archiepiscopos, episcopos, et caeteras ecclesiasticas personas in Domino magnopere hortamur, eisque eadem auctoritate apostolica injungimus, ut has constitutiones, quatenus ad eorum quemlibet respective pertinent, diligenter observent; eisdemque archiepiscopis et episcopis, reliquisque ecclesiarum praelatis mandamus, ut eas a quibuscumque, qui suae jurisdictioni subsunt, observandas curent, inobedientes et contumaces per censuras ecclesiasticas, et alia juris remedia, invocato etiam, si opus fuerit, auxilio brachii secularis, compescendo; irritumque et inane decernimus, quidquid secus super his a quoquam fuerit attentatum. Verum, quia difficile esset praesentes literas ad singula loca deferri, ad quae mitti oportet; volumus, et auctoritate apostolica decernimus, ut transumptis earum, sigillo alicujus personae in ecclesiastica dignitate constitutae munitis, ea fides adhibeatur, quae ipsis originalibus, si essent exhibitae vel ostensae, adhiberetur. Atque, ut haec decreta et constitutiones ad singulorum notitiam deducantur; universis locorum ordinariis eadem auctoritate apostolica praecipimus, ut ea per se, vel per alios in suis ecclesiis publicent, seu publicari faciant; quae post publicationem ipsam eos, ad quos pertinent, perinde arceant, ac si eis personaliter intimatae fuissent.

VOL. IV.

Decretum I. De gratiis Deo pro reditu hujus regni ad ecclesiae unitatem in missarum celebratione quotidie agendis, deque ejus rei memoria quotannis celebranda.

Cum totius deformationis ecclesiae in hoc regno, et omnium malorum, quae plurima superioribus temporibus acciderunt, causam merito agnoscamus hinc ortam esse, quod ab unitate et doctrina fidei ecclesiae catholicae recedentes, auctoritatem et obedientiam pontificis Romani, Christi vicarii, et successoris Petri, pro cujus fide, ne deficeret, ipse Christus oravit, reliquimus, ad quam nunc immensa Dei misericordia post multos opinionum errores, et diuturnam vexationem reversi sumus; ne tanti beneficii immemores et ingrati videamur, et ut initium faciamus a divino auxilio implorando, ut hoc ipsum beneficium indies magis confirmet, et hanc in nobis fidem servet et adaugeat, hoc primum cum praesentis synodi approbatione statuimus et decernimus, ut per universum hoc regnum in omnibus dierum dominicorum et festivorum, praeterquam de festo duplici majiori, missarum celebrationibus post alias collectas infra scripta etiam dicatur, quae in missalibus hic posthac imprimendis inferi curabitur.

Cum autem bonae memoriae Othobonus, sanctae Romanae ecclesiae cardinalis, et in his partibus apostolicae sedis legatus, cum universis regni praelatis, prout in ejus constitutionibus legitur, pie sanciverit, ut pro pace huic regno post varias dissensiones et intestina bella, quibus vexatum fuerat, restituta, quotannis per universum regnum solennes fierent processiones, in quibus populus Deo de beneficio pacis accepto gratias ageret, et pro ejusdem conservatione preces effunderet; nos praedicti cardinalis et legati tam piaae constitutionis exemplum secuti, statuimus, ut singulis annis in omnibus hujus regni civitatibus, oppidis, et vicis in festo sancti Andreae apostoli, quo die hujus regni cum Deo atque ejus ecclesia pax et reconciliatio facta est, processio solennis celebretur; in qua universi cujusque loci tam ecclesiastici, quam secularis ordinis Christi fideles convenientes, tam insignis a Deo accepti beneficii memoriam renouent, seque elemosynis, et aliis piis operibus gratos ostendant: utque eo ipso die in ecclesia, unde processio ducetur, inter missarum solennia concio ad populum habeatur, qua hujus solennitatis causa exponatur; vel, ubi deerit, qui concionetur, homilia, quae de hac re edenda curabitur, per parochum plebi recitetur. Singuli autem locorum ordinarii operam dabunt, ut hoc decretum in omnibus suae jurisdictionis locis, sub poenis eorum arbitrio irrogandis, servetur.

Decretum II. De constitutionibus, et dogmatibus, librisque recipiendis, rejiciendisve; et ut jus canonicum publice doceatur.

Quia vero post ejectam Romani pontificis et apostolicae sedis obedientiam, ecclesiasticarum etiam legum auctoritas sublata est; atque ex eo

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falsi doctores admitti et audiri, ac libri corruptae doctrinae passim legi coeperunt, quibus populus variis erroribus in doctrina fidei, et maxime sacramentorum, quae praecipua sunt christianae religionis fundamenta, infectus est; simulque honestas vitae et cleri et populi, et reliqua omnia, quae ad rectam ecclesiae disciplinam spectant, plane depravata sunt; cum ejusdem synodi approbatione omnia sacrorum, tum generalium, tum provincialium, a sede apostolica receptorum conciliorum decreta, et Romanorum pontificum constitutiones, item ecclesiasticas leges in hoc regno canonice editas, quatenus per praesentis synodi decreta immutatae non sint, in pristinum atque eundem, in quo ante schisma vigeant, locum, vim, et usum reponimus ac restituimus; et, ut haec ab omnibus, ad quos pertinent, religiose sancteque observentur, transgressoresque secundum canones ipsos, praedictasque constitutiones puniantur, atque, ut ipsum jus canonicum, uti antea, publice doceatur, statuimus et mandamus.

Cum vero per eas constitutiones, quas bonae memoriae Otho et Othobonus, olim in hoc regno sedis apostolicae legati, itemque Cantuarienses archiepiscopi, in provincialibus synodis pro tempore edidere, iis, quae ad clerum et populum hujus regni in doctrina et moribus recte instituendum et conservandum pertinent, specialiter provisum sit; ideo, ne quis possit in his minus observandis ignorantiae excusationem praetendere, statuimus, ut non solum archiepiscopi, episcopi, decani, archidiaconi, officiales, et caeteri omnes, ecclesiasticam jurisdictionem exercentes, dictas constitutiones, et eas item, quae hac synodo latae fuerint, habeant; sed etiam reliqui, quibus animarum cura commissa est, praeter sacrorum Bibliorum volumen veteris editionis in Latinum versum, et alios libros ad munus suum fungendum necessarios, easdem constitutiones habere, et diligenter legere, et, si quid dubii in iis, quae ad earum intelligentiam pertinent, occurrerit, peritiores consulere, et ex iis, quae populum nosse oportet, declarare et exponere teneantur, sub poena ordinariarum arbitrio iis, qui aliter fecerint, irroganda.

Ne autem pravae doctrinae librorum lectione populus posthac corrumpatur; juxta literas apostolicas, quae quotannis in die coenae Domini Romae publice recitari consueverunt; omnes, qui haereticorum libros, seu alias quomodolibet de fide suspectos, non impetrata a sede apostolica licentia, legant, aut habeant, aut imprimant, aut in hoc regnum importent, aut vendant, aut publice vel occulte defendant ac laudent, quocunque nomine et praetextu id fecerint, damnamus et anathematizamus, atque, ut omnibus poenis contra eos latis puniantur, mandamus: statuentes etiam juxta generale ultimi Lateranensis concilii decretum, ne quis posthac in hoc regno librum aliquem, seu aliud quodvis scriptum, sub poenis in eo decreto contentis, et aliis, prout delicti ratio exegerit, gravioribus, imprimere, seu imprimendum curare audeat, nisi prius per loci ordinarium, vel per alium, seu alios ab ipso ordinario ad eam rem deputandos, diligenter lectum et examina-

tum, et per ejus, five eorum manus subscriptionem, gratis apponendam, approbatum fuerit.

Omnes vero libros, five traditiones, ad fidem et ecclesiasticam disciplinam spectantes, quas sancta Romana ecclesia ad hanc diem probavit ac recepit, seu posthac probabit et recipiet, cum omni pietatis affectu et reverentia suscipimus et amplectimur; utque ab omnibus aliis simili obedientia et veneratione suscipiantur, sub canonicis censuris et poenis statuimus.

Ut autem, omni superiorum temporum errore sublato, populus sciat, quam doctrinam sequi, quam fugere debeat; cum eadem hac synodo juxta regulas et dogmata sanctorum patrum, omnem eam fidem, quam sancta Romana et apostolica ecclesia, omnium ecclesiarum mater et magistra, tenet et docet, reverenter suscipimus et amplectimur; idemque omnibus faciendum, et aperte profitendum esse decernimus: ac secundum generalis concilii sub felicitis recordationis Innocentio papa III. celebrati, et aliorum conciliorum, et Romanorum pontificum decreta et traditiones, ipsasque literas apostolicas, quae in die coenae Domini legi solent, omnem haeresim adversus hanc sanctam, orthodoxam, et catholicam fidem se extollentem, et quicquid ab ea alienum est, damnamus et omnino rejicimus; omne dogma, quod cum eadem fide pugnat, seu non consentit, credi, practitari, doceri prohibemus ac vetamus: universos cujuscunque nominis ac generis haereticos, qui aliter credunt, tenent, ac docent, quam eadem Romana ecclesia credit, tenet, ac docet, damnamus et anathematizamus; omnes item censuras et poenas contra haereticos, et eorum fautores latas, necnon contra ordinarios, et caeteros omnes, ad quorum munus hoc spectat, in extirpandis haeresibus negligentes, innovamus, atque omnino exequi praecipimus. Hortamur autem, et per viscera misericordiae Domini nostri Jesu Christi obtestamur omnes, qui superiori tempore in errores aliquos lapsi sunt, nec dum resipuerunt, ut ab eis recedere, et veritatem agnoscere atque amplecti velint; qui vero Dei gratia catholicam fidem retinuerunt, vel ad eam reversi sunt, ut perpetuo in eadem perseverent. Verum, quia in iis, quae ad doctrinam capitis ecclesiae et sacramentorum pertinent, hic maxime erratum est; veram hujus doctrinae traditionem, quae in octava generali synodo Florentiae sub felicitis recordationis Eugenio papa IV. celebrata, breviter et dilucide explicata est, hic adscribendam censuimus.

Definimus, sanctam apostolicam sedem, et Romanum pontificem in universum orbem tenere primatum; et ipsum pontificem Romanum successorem esse beati Petri, principis apostolorum, et verum Christi vicarium, totiusque ecclesiae caput, et omnium Christianorum patrem ac doctorem existere; et ipsi in beato Petro pascendi, regendi, et gubernandi universalem ecclesiam a Domino nostro Jesu Christo plenam potestatem traditam esse, quemadmodum etiam in gestis oecumenicorum conciliorum, et in sacris canonibus continetur.

Ecclesiasticorum sacramentorum veritatem pro ipsorum Armenorum, tam praesentium, quam

quàm futurorum, faciliori doctrina, sub hac brevissima redigimus formula.

Novae legis septem sunt sacramenta; videlicet baptismus, confirmatio, eucharistia, poenitentia, extrema unctio, ordo, et matrimonium; quae multum a sacramentis differunt antiquae legis: illa enim non causabant gratiam, sed eam solum per passionem Christi dandam esse figurabant; haec vero nostra et continent gratiam, et ipsam digne suscipientibus conferunt. Horum quinque prima ad spiritualem uniuscujusque hominis in seipso perfectionem, duo ultima ad totius ecclesiae regimen multiplicationemque ordinata sunt. Per baptismum enim spiritualiter renascimur; per confirmationem augemur in gratia, et roboramur in fide; renati autem, et roborati, nutrimur divina eucharistiae alimonia: quodsi per peccatum aegritudinem incurrimus animae, per poenitentiam spiritualiter sanamur; spiritualiter etiam et corporaliter, prout animae expedit, per extremam unctionem: per ordinem vero ecclesia gubernatur, et multiplicatur spiritualiter; per matrimonium corporaliter augetur. Haec omnia sacramenta tribus perficiuntur; videlicet rebus, tanquam materia, verbis, tanquam forma, et persona ministri conferentis sacramentum cum intentione faciendi, quod facit ecclesia; quorum si aliquod desit, non perficitur sacramentum. Inter haec sacramenta, tria sunt (baptismus, confirmatio, et ordo) quae characterem, id est, spirituale quoddam signum a caeteris distinctivum, imprimunt in anima indelibile, unde in eadem persona non reiterantur; reliqua vero quatuor characterem non imprimunt, et reiterationem admittunt.

Primum omnium sacramentorum locum tenet sanctum baptisma, quod vitae spiritualis janua est: per ipsum enim membra Christi, ac de corpore efficimur ecclesiae: et cum per primum hominem mors introierit in universos; nisi ex aqua et spiritu renascimur, non possumus, ut inquit veritas, in regnum caelorum introire. Materia hujus sacramenti est aqua vera et naturalis; nec refert, frigida sit, an calida. Forma autem est: "Ego te baptizo in nomine Patris, et Filii, et Spiritus Sancti." Non tamen negamus, quin et per illa verba, "Baptizetur talis servus Christi in nomine Patris, et Filii, et Spiritus Sancti;" vel, "Baptizetur manibus meis talis in nomine Patris, et Filii, et Spiritus Sancti," verum perficiatur baptisma; quoniam, cum principalis causa, ex qua baptismus virtutem habet, sit sancta Trinitas, instrumentalis autem sit minister, qui tradit exterius sacramentum, si exprimitur actus, qui per ipsum exercetur ministerium, cum sanctae Trinitatis invocatione perficitur sacramentum. Minister hujus sacramenti est sacerdos, cui ex officio competit baptizare. In causa autem necessitatis non solum sacerdos, vel diaconus, sed etiam laicus, vel mulier, imo etiam paganus, et haereticus baptizare potest, dummodo formam servet ecclesiae, et facere intendat, quod facit ecclesia. Hujus sacramenti effectus est remissio omnis culpae originalis et actualis, omnis quoque poenae, quae pro ipsa culpa debetur; propterea baptizatis nulla pro peccatis praeteritis

injungenda est satisfactio; sed morientes antequam culpam aliquam committant, statim ad regnum caelorum, et Dei visionem perveniunt.

Secundum sacramentum est confirmatio; cuius materia est chrisma confectum ex oleo, quod nitorem significat conscientiae, et balsamo, qui odorem significat bonae famae, per episcopum benedicto. Forma autem est: "Signo te signo crucis, et confirmo te chrismate salutis in nomine Patris, et Filii, et Spiritus Sancti." Ordinarius minister est episcopus. Et cum caeteras unctiones simplex sacerdos valeat exhibere, hanc non nisi episcopus debet conferre; quia de solis apostolis legitur, quorum vicem tenent episcopi, quod per manus impositionem Spiritum Sanctum dabant, quemadmodum Actuum apostolorum lectio manifestat: "Cum enim," inquit, "audissent apostoli, qui erant Hierosolymis, quia recepisset Samaria verbum Dei, miserunt ad eos Petrum et Johannem; qui cum venissent, oraverunt pro eis, ut acciperent Spiritum Sanctum: nondum enim in quenquam illorum venerat; sed baptizati tantum erant in nomine Domini Jesu. Tunc imponebant manus super illos, et accipiebant Spiritum Sanctum." Loco autem illius manus impositionis detur in ecclesia confirmatio. Legitur tamen aliquando, per apostolicae sedis dispensationem ex rationabili et urgente admodum causa, simplicem sacerdotem, chrismate per episcopum confecto, hoc administrasse confirmationis sacramentum. Effectus autem hujus sacramenti est, quia in eo datur Spiritus Sanctus ad robur, sicut datus est apostolis in die Pentecostes, ut videlicet christianus audacter Christi confiteatur nomen; ideoque in fronte, ubi verecundiae sedes est, confirmandus inungitur, ne Christi nomen confiteri erubescat, et praecipue crucem ejus, qui Judaeis est scandalum, gentibus autem stultitia, secundum apostolum, propter quod signo crucis signatur.

Tertium est eucharistiae sacramentum; cuius materia est panis triticeus, et vinum de vite, cui ante consecrationem aqua modicissima admisceri debet. Aqua autem ideo admiscetur, quoniam, juxta testimonia sanctorum patrum ac doctorum ecclesiae pridem in disputatione exhibita, creditur ipsum Dominum in vino aqua permisto hoc instituisse sacramentum; deinde, quia hoc convenit dominicae Passionis repraesentationi. Inquit enim beatus Alexander papa V. a beato Petro: "In sacramentorum oblationibus, quae intra missarum solennia Domino offeruntur, panis tantum, et vinum aqua permistum in sacrificium offerantur. Non enim debet in calicem Domini aut vinum solum, aut aqua sola offerri, sed utrumque permistum; quia utrumque, id est sanguis et aqua, ex latere Christi profluxisse legitur; tum etiam, quod convenit ad significandum hujus sacramenti effectum, qui est unio populi christiani ad Christum. Aqua enim populum significat, secundum illud Apocalypsis; "Aquae multae, populi multi." Et Julius papa primus post beatum Silvestrum ait: "Calix dominicus, juxta canonum praeceptum, vino et aqua permistus debet offerri; quia videmus in aqua populum intelli-

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gi, in vino vero ostendi sanguinem Christi; ergo, cum in calice vinum et aqua miscetur, Christo populus adunatur, et fidelium plebs ei, in quem credit, copulatur et jungitur." Cum ergo tam sancta Romana ecclesia, a beatissimis apostolis Petro et Paulo edocta, quam reliquae omnes Latinorum Graecorumque ecclesiae, in quibus omnis sanctitatis et doctrinae lumina claruerunt, ab initio nascentis ecclesiae sic servaverint, et modo servant; inconueniens admodum videtur, ut alia quaevis regio ab hac universalis et rationabili discrepet observantia. Decernimus igitur, ut etiam ipsi Armeni se cum universo orbe christiano conforment, eorumque sacerdotes in calicis oblatione paululum aquae, prout dictum est, admisceant vino. Forma hujus Sacramenti sunt verba Salvatoris, quibus hoc confecit sacramentum. Sacerdos enim in persona Christi loquens, hoc conficit sacramentum: nam ipsorum verborum virtute substantia panis in corpus Christi, et substantia vini in sanguinem convertuntur; ita tamen, quod totus Christus continetur sub specie panis, et totus sub specie vini; sub qualibet quoque parte hostiae consecratae, et vini consecrati, separatione facta, totus est Christus. Hujus sacramenti effectus, quem in anima operatur digne sumentis, est adunatio hominis ad Christum. Et quia per gratiam homo Christo incorporatur, et membris ejus unitur; consequens est, quod per hoc sacramentum in sumentibus digne gratia augeatur: omnemque effectum, quem materialis cibus et potus quoad vitam agunt corporalem, sustentando, augendo, reparando, et delectando, sacramentum hoc quoad vitam operatur spiritualement; in quo, ut inquit Urbanus papa, gratiam Salvatoris nostri recensemus memoriam, a malo retrahimur, confortamur in bono, et ad virtutum et gratiarum proficimus incrementum.

Quartum sacramentum est poenitentia; cujus quasi materia sunt actus poenitentis, qui in tres distinguuntur partes: quarum prima est cordis contritio; ad quam pertinet, ut doleat de peccato commisso, cum proposito non peccandi de caetero; secunda oris confessio; ad quam pertinet, ut peccator omnia peccata, quorum memoriam habet, suo sacerdoti confiteatur integraliter; tertia satisfactio pro peccatis secundum arbitrium sacerdotis; quae quidem praecipue fit per orationem, jejunium, et eleemosynam. Forma hujus sacramenti sunt verba absolutionis, quae sacerdos profert cum dicit: "Ego te absolvo," etc. Minister hujus sacramenti est sacerdos, habens auctoritatem absolvendi vel ordinariam, vel ex commissione superioris. Effectus hujus sacramenti est absolutio a peccatis.

Quintum sacramentum est extrema unctio, cujus materia est oleum olivae per episcopum benedictum. Hoc sacramentum nisi infirmo, de cujus morte timetur, dari non debet, qui in his locis unguendus est; in oculis propter visum, in auribus propter auditum, in naribus propter odoratum, in ore propter gustum, vel locutionem, in manibus propter tactum, in pedibus propter gressum, in renibus propter delectationem ibidem vigentem. Forma hujus sacramenti

est haec: "Per istam unctionem, et suam piissimam misericordiam indulgeat tibi Dominus, quicquid per visum," etc. et similiter in aliis membris. Minister hujus sacramenti est sacerdos. Effectus vero est mentis sanatio, et, in quantum autem expedit, ipsius etiam corporis. De hoc sacramento inquit B. Jacobus apostolus: "Infirmatur quis in vobis? inducat presbyteros ecclesiae, ut orent super eum, ungentes eum oleo in nomine Domini; et oratio fidei salvabit infirmum, et alleviabit eum Dominus; et, si in peccatis sit, dimittentur ei."

Sextum sacramentum est ordinis; cujus materia est illud, per cujus traditionem confertur ordo; sicut presbyteratus traditur per calicis cum vino, et patinae cum pane porrectionem; diaconatus vero per libri evangeliorum dationem; subdiaconatus vero per calicis vacui cum patina vacua superposita traditionem; et similiter de aliis, per rerum, ad ministeria sua pertinentium, assignationem. Forma sacerdotii talis est: "Accipe potestatem offerendi sacrificium in ecclesia pro vivis et mortuis in nomine Patris, et Filii, et Spiritus Sancti:" et sic de aliorum ordinum formis, prout in Pontificali Romano late continetur. Ordinarius minister hujus sacramenti est episcopus. Effectus augmentum gratiae, ut quis sit idoneus minister.

Septimum est sacramentum matrimonii, quod est signum conjunctionis Christi et ecclesiae, secundum apostolum dicentem: "Sacramentum hoc magnum est: ego autem dico in Christo et in ecclesia." Causa efficiens matrimonii regulariter est mutuus consensus per verba de praesenti expressus. Assignatur autem triplex bonum matrimonii: primum est proles suscipienda, et educanda ad cultum Dei; secundum fides, quam unus conjugum alteri servare debet; tertium indivisibilitas matrimonii propter hoc, quod significat indivisibilem conjunctionem Christi et ecclesiae. Quamvis autem ex causa fornicationis liceat tori separationem facere; non tamen aliud matrimonium contrahere fas est, cum matrimonii vinculum legitime contracti perpetuum sit.

De custodia et administratione sacramentorum, deque ecclesiarum dedicationibus certo die, et aliis festis devote celebrandis.

Constitutionem bonae memoriae Johannis, archiepiscopi Cantuariensis, in concilio provinciali editam, qua pie et provide statutum est, ut in qualibet parochiali ecclesia tabernaculum fiat cum sera et clavi, decens et honestum, pro curae magnitudine et ecclesiae facultatibus, ubi sanctissimum eucharistiae sacramentum custodiatur, non in bursa vel loculo, sed in panno lineo mundissimo in pixide decenti incluso, ita ut sine ullo diminutionis periculo facile reponi et eximi possit; atque ut ipsum venerabile sacramentum singulis hebdomadis renovetur, poenam etiam contra sacerdotes in eucharistiae custodia negligentes statutam, hujus auctoritate concilii innovandam censuimus, eaque ut omnino servetur, decernimus; adjicientes, ut hoc tabernaculum in medio altaris majoris ita eminenter, ut ab omnibus conspici possit, collocetur, et ita affi-

affigatur, ne facile a quoquam amoveri possit: si vero in eo loco commode poni non potest; tum in alio altari, majori proximo, ac maxime decenti, ponatur. Locorum autem ordinarii in suis ecclesiis initium hujus observationis facientes, ut in aliis idem fiat, providebunt, negligentes in hoc per ejus fructuum ecclesiae portionis, quae ad hujus rei confectionem sufficiat, subtractionem, et alia juris remedia ad hoc decretum observandum compellendo: nec alios propterea, quicunque praeter rectores ad hujus rei contributionem tenerentur, exoneramus. Huic etiam constitutioni ob honorem corporis Domini nostri Jesu Christi, qui est candor lucis aeternae, hoc addimus atque decernimus, ut, juxta antiquam et laudabilem ecclesiae Anglicanae, et aliarum provinciarum consuetudinem, lampas, vel cereus coram eo continue ardeat; ubi vero facultates ecclesiae non suppetant, current locorum ordinarii, quantum in eis est, ut facultas aliunde paretur, qua tam honesta et pia consuetudo, quae fere jam in omnibus hujus regni ecclesiis superiorum temporum injuria est sublata, renovetur. Praeterea omnes constitutiones ecclesiasticas, tam generales, quam hujus regni particulares, de custodia fontis baptismatis, chrismatis, et olei sancti, et de sacramentis ipsis rite et recte, ac cum ea, qua decet, reverentia administrandis latas et promulgatas, innovamus, easque ab omnibus, ad quos ea res pertinet, sub poenis, quae in eis continentur, et aliis etiam gravioribus, arbitrio ordinariorum pro modo culpa irrogandis, inviolabiliter observari decernimus.

De ecclesiarum dedicationibus certo die, ipsisque et aliis festis devote celebrandis.

Ut in solennitatibus dedicationum ecclesiarum, quas juxta antiquum hujus regni morem ubique primo die dominico mensis Octobris celebrari volumus, profana et irreligiosa vulgi consuetudo vana spectacula edendi, commessationes, tripudia, et alia id genus faciendi tollatur, statuimus, ut episcopi diligenter provideant, ne quid tale posthac eo die, aliisve festis diebus fiat, sed ut populus audiendis divinis officiis devotus intendat; inobedientes autem per ecclesiasticas censuras, et alia juris remedia, invocato etiam, si opus fuerit, brachii secularis auxilio, compescant.

Decretum III. De residentia episcoporum, et aliorum inferioris ordinis clericorum et scholarium, collegiorum praefectorum.

Cum ecclesiae reformationis initium ab iis fieri debeat, qui aliorum curam gerunt; in iis autem magnus hic vigeat abusus, quod multi eorum in ecclesiis sibi commissis non residentes, eas mercenariis relinquunt, quae res omnium fere malorum in ecclesia causam attulit; idcirco, ut hic abusus, quoad ejus fieri potest, tollatur, primum omnes, qui cathedralibus etiam metropolitanis, aliisve inferioribus ecclesiis, curam animarum habentibus, praesunt, magnopere hortamur in Domino, et per viscera misericordiae Jesu Christi obtestamur, ut atten-

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dentes sibi et universo gregi, in quo Spiritus Sanctus posuit eos, regere ecclesiam Dei, quam acquisivit sanguine suo, ad commissi sibi gregis salutem, cujus sanguis de eorum manibus est requirendus, debitam ei praesentiam exhibeant, et ab omni negotiorum secularium sollicitudine vacui, super ejus custodiam vigilent, atque ex apostoli praecepto in omnibus laborent, et ministerium suum impleant. Deinde, quia saepe fieri videmus, ut, quos Dei timor ad munus suum exequendum non movet, poenarum metus impellat; omnes ecclesiasticas, tam generales, quam hujus regni particulares, constitutiones contra eos, qui non resident, editas, innovamus; quos etiam usque ad ipsorum beneficiorum privationem inclusive ad residendum compelli volumus et decernimus: licebit tamen ordinariis, juxta canonem felicitis recordationis Gregorii papae X. in generali concilio Lugdunensi editum, gratiam dispensationis ad tempus concedere, prout causa rationabilis, et juri consona id exposcet.

Praeterea, cum dignitates, personatus, et alia hujusmodi ecclesiastica officia, et ministeria in Dei ecclesiis ideo sint instituta, ut essent, qui disciplinam ecclesiasticam, tanquam inspectores et moderatores, conservarent et augerent; quia videmus multos esse, qui harum dignitatum et officiorum emolumenta capientes, a propriis ecclesiis absint, nullamque eis operam impendant, non sine magno ipsarum ecclesiarum detrimento; idcirco, ut hi etiam ad suum officium praestandum compellantur, arctioribus ecclesiarum et collegiorum statutis et consuetudinibus in suo robore permanentibus, statuimus, ut posthac omnes decani, praepositi, et alii quascunque tam cathedralium etiam metropolitanae, quam collegiatarum ecclesiarum dignitates, personatus, officia, et administrationes, quocunque nomine nuncupentur, obtinentes, necnon scholarium collegiorum praefecti adsint in suis ecclesiis et collegiis: archidiaconi vero in archidiaconatibus, vel in ecclesiis cathedralibus, prout magis episcopo loci expediens visum fuerit, commorentur, ut debitam illis operam praestent. Si quis vero ultra vacationem statutis ecclesiae sibi concessam, ab ecclesia, archidiaconatu, aut collegio suo abfuerit; tum, pro rata temporis absentiae, in fructibus, quomodocunque sibi ratione officii, dignitatis, vel praefecturae obvenientibus, per ejus superiorem puniatur; atque hi in utilitatem mensae ecclesiae cathedralis, quae pro scholaribus alendis jam erecta est, erigeturve, convertantur; et, si longioris absentiae ratio ita postulaverit, aliis juris remediis, etiam usque ad dignitatis, officii, vel praefecturae privationem inclusive, juxta canonicas sanctiones, ad residentiam compellatur: liceat tamen iis, qui hujusmodi dignitates et officia obtinent, ex causa rationabili, et juri consona, etiam per majorem partem capituli seu collegii probata, de licentia superiorum ad tempus abesse.

Cum vero canonicatus et praebendas in ecclesiis instituendi ratio et causa haec fuerit, ut, qui ad eos assumuntur, episcopo assistant, eumque in muneris sui functione consilio et opera

adjuvent, et in divinis officiis celebrandis ecclesiae, ex qua fructus percipiunt, inserviant; cumque pauci admodum sint, qui haec praestant, ut prope jam ecclesiae ipsae ad solitudinem sint redactae; statuimus et mandamus, ut posthac omnes canonici tam cathedralium etiam metropolitanarum, quam collegiatarum ecclesiarum, qui ex fundatione, statuto, vel consuetudine in ecclesiis residere tenentur, ad personalem in eis residentiam per subtractionem fructuum ex canonicatibus et praebendis provenientes, pro rata temporis, quo ultra vacationem sibi statutis ecclesiae concessam, sine licentia superioris ex causa legitima, et quam major pars capituli approbaverit, abfuerint, ab eis auferendorum, et in utilitatem mensae praefatae convertendorum, et per alia quaecunque juris remedia compellantur. Qui vero ex fundatione, statuto, vel consuetudine ad residentiam non tenentur; si praebendam, ad decem librarum annum valorem ascendente, obtineant, nisi in ecclesia, ad quam praebenda spectat, unum mensem, vel eo plus, prout eorum superioribus visum fuerit, quotannis praesentes fuerint, et in habitu per residentiarios ejusdem ecclesiae canonicos geri solito, divinis officiis intersint; sextam partem proventus annui praebendae suae, in utilitatem scholae praedictae convertendam, quoties secus fecerint, amittant. Qui vero praebendam, quae ad annum viginti librarum valorem ascendit, obtinent, nisi et ipsi in ecclesia, ad quam praebenda pertinet, mensibus saltem duobus continuis vel interpolatis, aut etiam pluribus, ejusdem superioris arbitrio, quotannis praesentes fuerint, et in habitu praedicto inservierint; ii sexta parte proventus annui praebendae suae, ad usum praedictum deputandae, priventur, nisi hujusmodi fructus iis, qui divinis intersint, seu aliis piis usibus per ecclesiae statuta, consuetudinesve, seu alias legitime sint jam applicati, quod et in aliis praecedentibus capitulis, ubi hac de re agitur, placuit observari: hoc insuper adjicientes, ut distributiones quotidianae appellatae, quae ab interessentibus tantum percipiuntur, nemini, qui eisdem divinis non intersit, ex quantumvis justa causa, nisi ea talis sit, quae expresse a jure vel a statutis ecclesiae probetur, concedantur. Eorum autem, quibus studiorum gratia, ad certum tempus indultum est, ne ad eos ordines promoveri teneantur, ad quos ratione beneficiorum, quae obtinent, promovendi essent, et ut absentes nihilominus fructus percipiant, quia plerique in nulla ex universitatibus, in quibus generale studium viget, sed in locis, ubi nullus est studiorum usus atque exercitatio, commorantur, et non pauci etiam in studiis generalibus degentes, quidvis potius aliud agunt, quam ut literis operam dent; idcirco, ne dolus et fraus hac in re cuiquam patrocinetur, omnibus locorum ordinariis mandamus, ut posthac, antequam ulli suae jurisdictionis hujusmodi indulta concedant, diligenter inquirent, an is ad literarum studia sit aptus, et an eae disciplinae, quibus operam se daturum profiteatur, tales sint, quae ei convenient, et ecclesiae futurae sint utiles, et an temere, vel in fraudem hanc licentiam petat: quam si, omni-

bus mature perspectis, illi concedendam duxerint; tum curent, ut sciant, quibus in locis is degat, et quam vitam ducat, et quem in literis progressum faciat; quodsi otiose eum vivere aut nihil in literis proficere cognoverint; et indultum revocent, et ad ordines suscipiendos, ad quos tenetur, et ad residentiam per subtractionem fructuum, et alia juris remedia compellant.

Quoniam vero beneficiorum pluralitas residentiam maxime impedit, et clericis materiam vagandi praestat; statuimus, ut quicumque plura incompatibilia beneficia ecclesiastica de facto obtinet, unico, quod maluerit, retento (ad quod retinendum, in eventum dimissionis aliorum seu alterius, ut sequitur, auctoritate apostolica nobis concessa, sine alieni juris praepjudicio eum habilitamus) aliud, seu alia, quae de jure tenere non potest, intra duorum mensium spatium, a praesentis decreti publicatione computandorum, in manibus sui ordinarii publice coram testibus resignet, et reipsa dimittat; alioquin omnibus sit privatus, quae ipso jure vacare, et ad ea obtinenda eum omnino inhabilem esse decernimus: hanc autem per hoc breve spatium incompatibilium hujusmodi beneficiorum retentionem ex quibusdam rationabilibus causis, eadem auctoritate apostolica nobis concessa, duximus indulgendam.

Qui vero in posterum plura beneficia, curam animarum habentia, seu aliter incompatibilia, sine ejusdem sedis apostolicae dispensatione vel auctoritate, per modum unionis ad vitam, vel commendae, vel custodiae, praeter eum modum, quem constitutio Gregoriana in concilio Lugdunensi edita permittit, aut alio quocunque nomine et titulo recipere, ac simul retinere praesumpserit; non solum secundo et pluribus, quae de facto obtinuit, sed etiam primo, quod canonice possidebat, sit ipso jure privatus. Omnes item alias sententias, censuras, et poenas in constitutione felicitis recordationis Johannis XXII. quae incipit, "Audistis," et quibuscunque aliis, tam apostolicis, quam provincialibus et synodalibus, et apostolicae sedis in hoc regno legatorum constitutionibus contra eos, qui hujusmodi incompatibilia beneficia obtinent, seu de illis provident, quoquomodo editas, innovamus, et debitae executioni mandari praecipimus.

Ordinarii autem locorum eis, quicumque plura curata, aut aliter incompatibilia beneficia ecclesiastica obtinent, dispensationes suas exhibere omnino compellant, et alias agant, juxta constitutionem Gregorii XI. in concilio Lugdunensi editam, quae incipit, "Ordinarii," quam plane observari decernimus: addentes, ut ipsi ordinarii etiam per idoneorum vicariorum deputationem, et congruae portionis fructuum assignationem provideant, ut animarum cura nullo modo negligatur, et beneficia ipsa debitis ministeriis non fraudentur.

Decretum IV. Ut episcopi, reliquique curam animarum exercentes, populo praedicent, parochique pueros prima fidei rudimenta doceant.

Sed quoniam nihil aut parum utilitatis allatura est episcoporum, et aliorum inferioris ordinis,

dinis, curam animarum habentium, in ecclesiis suis residentia, nisi iidem pastoris officio fungantur, quod potissimum in divini verbi praedicatione consistit; inolevit autem alicubi hic abusus, ut episcopi, munere praedicandi ad alios translato, in alia ipsi officia incumbant, contra apostolorum exemplum, qui dixerunt: "Non est aequum nos relinquere verbum, et ministrare mensis:" quod munus tamen, cum in pauperibus alendis versaretur, maxime pium erat; idcirco cum hujus synodi approbatione statuimus, ut archiepiscopi et episcopi omnes praedicationis verbi Dei munus per seipsos obire, juxta Christi et apostolorum mandatum, et sacrorum canonum normam, teneantur; et si quando legitimum aliquod impedimentum inciderit, quominus id facere possint, tum, secundum statutum felicitis recordationis Innocentii papae III. in generali concilio editum, quod incipit, "Inter caetera," viros idoneos deligant ad hujusmodi praedicationis officium recte exequendum; rectores item, vicarii, et quicunque alii, curam animarum habentes, per se, vel per alios idoneos viros; si legitime ipsi impediti fuerint, saltem dominicis et aliis festis diebus plebem sibi commissam salutari praedicationis cibo pascant; quodsi quis hoc necessarium praedicandi officium praetermiserit, postquam per superiorem monitus, per unius mensis spatium muneri suo defuerit; per censuras ecclesiasticas, et alia juris remedia ad id ipse superior eum compellat, etiam aliquam honestam mercedem de fructibus ipsius ecclesiae alteri, qui id praestet, assignando, donec principalis quandoque resipiscens, officium suum impleat.

Huic autem praedicationis officio ita plane satisfactum erit, si non solum publice concio habeatur, sed privatim etiam pastor, quos ex grege sibi commissio a recta fide, vel a bonis moribus aberrare cognoverit, eos ad se vocatos paterne, et cum omni charitatis affectu docendo, monendo, hortando, ac, si opus fuerit, deterrendo, ad catholicam fidem, et rectam vivendi normam reducere conetur; qui vero et in fide et in moribus recte vivunt, in sancto eorum instituto confirmet.

Quia vero sunt, qui non vocati ad praedicandum, ipsi se ingerunt, cum tamen apostolus dicat: "Quomodo praedicabunt, nisi mittantur?" quos etiam Deus per prophetam reprehendit, dicens: "Ipsi currebant, et ego non mittebam illos:" statutum felicitis recordationis Innocentii papae III. in generali concilio editum, quo sub anathematis, et aliis poenis ei, qui in contumacia perseveraverit, infligendis, prohibetur, ne quis, praeter auctoritatem ab apostolica sede, vel a catholico loci episcopo concessam, publice vel privatim, extra quam regit ecclesiam, praedicationis officium usurpare audeat, observandum censemus.

Quos autem episcopus ad praedicandum mittet, eos de materia et modo praedicandi (multi enim in hoc officium abusus irrepservunt) cum omni pietate et studio instruat. Hoc autem potissimum erit eis injungendum, ut inprimis populum ad poenitentiam adhortentur; quae qui-

dem eo magis necessaria est, quo gravius Deum offendimus et majoribus ab eo beneficiis affecti sumus, hoc regno a perniciosissimo schismate liberato; deinde contra ea vitia et abusus, qui tum in doctrina, tum in moribus tempore ipsius schismatis viguerunt, quibus etiam nunc plerique sunt infecti, diligenter erudiat moneaturque.

Quia vero in multis ecclesiis concionatores defunt, ne populus propter rectorum, vicariorum, aliorumve, qui curam animarum habent, imperitiam necessario sanae doctrinae cibo fraudetur; quaedam homiliae a piis et doctis viris ex hujus synodi mandato de iis praecipue, in quibus hic magis peccatum est, conscriptae edentur, quas curati, qui ad concionandum idonei non erunt, loco sermonis plebi sibi commissae plane et distincte legent.

Cum autem hic messis multa sit, operarii autem pauci; rogandus est inprimis Dominus messis, ut in vineam suam operarios mittat; interim vero episcoporum erit certos praedicatores deligere, qui omnia dioecesum suarum loca sic obeant, ut ne qua pars gregis salutari verbi Dei pabulo omnino fraudetur.

Hoc etiam eisdem agendum erit, ut, quicunque curae animarum sunt praefecti, pueros parochiae suae singulis saltem dominicis, et aliis festivis diebus, certa hora, qua divinis officiis non erunt impediti, ad ecclesiam vocatos, inprimis fidei rudimentis, ac pietate et obedientia erga Deum et parentes diligenter instruant; qui vero id praetermiserint, per ea juris remedia, quae opportuna videbuntur, ad id compellantur.

Decretum V. De vita et honestate clericorum.

Quia vero exemplum vitae magnam auctoritatem verbo affert, eisque velut quoddam praedicandi genus; ob id curandum est eis, qui aliis praesunt, ut caeteris cum morum probitate, vitaeque sanctitate, tum ea propriam domum recte gubernandi laude, quam in episcopis apostolus requirit, antecellant. Quapropter hujus regni archiepiscopos, episcopos, et reliquos omnes ecclesiarum praelatos per viscera misericordiae Jesu Christi monemus, atque obtestamur, ut, juxta doctrinam apostoli, ita sobrie, caste, ac pie vivant, ut caeteris eorum vita et conversatio ad pietatem et morum disciplinam exemplo esse possint. Nullo ipsi fastu, nulla pompa utantur, non vestibus sericis, non pretiosa suppellectile; sit eorum mensa frugalis et parca; non plus, quam tria, aut ad summum quatuor (quod etiam magis pro hujus temporis ratione indulgendo, quam probando concedimus) ciborum genera, praeter fructus et bellaria, qualescunque hospites aut convivas habeant, apponantur: reliqua mensae condimenta sint charitas, sanctorum librorum lectio, et pii sermones. Domesticorum et equorum numerosa et superflua multitudine abstineant, ac tot ministris contenti sint, quot ad curae sibi commissae administrationem, ac domus regimen, et ad quotidianos vitae usus erant necessarii. Sint etiam de eorum moribus et vita solliciti, ne ex alienis vitiis turpem contrahant infamiae notam; curentque

curentque ut laici sibi inservientes, vestitu, quod ad genera et colores vestium attinet, modesto ac decenti utantur. Ac, ne haec sumptuum moderatio avaritiae tribuatur, quicquid ex fructibus ecclesiarum, deductis iis, quae earum oneribus sustinendis, et ipsis, atque ipsorum familiaribus necessaria sunt, supererit, id omne, juxta illa, quae beatus Gregorius papa Augustino episcopo de fructibus ecclesiae dispensandis rescripsit, ad pauperes Christi suscipiendos et alendos, ad pueros et adolescentes in scholis et studiis educandos, atque in alia pia opera ad Dei gloriam, et proximi utilitatem, et aliorum exemplum distribuant. Sint patres pauperum, sint orphanorum, viduarum, et oppressorum refugium et tutela. In sacrarum scripturarum lectione, et in iis, quae ad curae sibi commissae regimen spectant, assidue versentur; a secularibus autem negotiis, et omnibus iis, quae ordini clericali, juxta sacrorum canonum instituta, minime conveniunt, abstineant, ita ut in omnibus forma gregis vere facti agnoscantur.

Haec eadem reliquis etiam inferioris ordinis clericis sequenda proponuntur (aequum est enim, ut membra cum capite congruant) atque ut ii tales omnino sint, statuimus, ut locorum ordinarii curent, ut ea, quae tam per sacros canones generales, quam per sedis apostolicae legatorum, et provinciales hujus regni leges de vita et honestate clericorum sancte et pie instituta sunt, sub poenis in eis expressis, et aliis etiam ipsorum arbitrio irrogandis, ab omnibus suae jurisdictionis clericis integre observentur. Ac, ne quis harum rerum ignorantiam praetendat, iidem ordinarii, ut ea omnia, quae magis necessaria videbuntur, in breve compendium redigantur, et cum adjectione poenarum, et monitionibus debitis per publicas denunciationes, seu aliter ad omnium notitiam deducantur, curabunt. Ut autem quidam abusus, qui in mores et vitam clericorum superioris temporis vitio hic passim irreperunt, quoad ejus fieri potest, tollantur; de his quaedam specialiter, prout infra sequitur, statuenda censuimus.

Cum igitur personis regularibus professis, itemque secularibus in sacris ordinibus constitutis, juxta sacrorum conciliorum et canonum statuta, per antiquam et laudabilem ecclesiae consuetudinem uxores habere non liceat; quia nihilominus plerique post professionem emissam, et sacrorum ordinum susceptionem, omni Dei et legum timore posthabito, matrimonia, quae potius impudica contubernia sunt appellanda, de facto contrahere non sunt veriti, in maximum religiosorum et ordinis clericalis dedecus, et scandalum populi, et animarum suarum perditionem; ut tam pro praeteritis, quam futuris casibus hujusmodi abusui provideatur, eadem hac synodo approbante, nos omnia hujusmodi matrimonia tam a religiosis utriusque sexus professis, quam clericis secularibus, qui usque ad sacrum subdiaconatus ordinem inclusive pervenerunt, ut praemittitur, de facto contracta, damnamus et reprobamus, ac minime de jure fieri potuisse quinimo illicita ac nefaria esse pronunciamus et declaramus: mandamusque universis hujus regni ordinariis, ut hujusmodi per-

sonas de facto ita conjunctas, per censuras ecclesiasticas, et alia juris remedia separent ac disjungant, neque ullo modo simul habitare permittant; ac contra omnes, quicunque hujusmodi matrimonia defendere, seu in eis obstinate perseverare voluerint, juxta sacrorum canonum normam severe procedant: ac, ne in posterum quidquam tale committatur, omnes constitutiones canonicas, tam generales, quam hujus regni particulares, contra hujusmodi excessus latas, cum omnibus sententiis, censuris, et poenis in eis contentis, omnino exequendas statuimus.

Praeterea, cum pleraeque hujus regni ecclesiasticae personae, etiam ecclesiastica beneficia obtinentes, atque in sacris ordinibus constitutae, suae conditionis immemores, non solum habitum et tonsuram ordini suo convenientem non gerant, sed negotiis quoque secularibus, atque exercitiis etiam vilibus ac turpibus se implicant, nec horas canonicas persolvant, nec in studia literarum incumbant, aliudve omnino quidquam, quod ordini suo conveniat, agant, in sacrarum legum contemptum et clericalis ordinis dedecus; statuimus et decernimus, ut, quicunque in aliqua ecclesia praebendam, seu cujuscunque generis vel appellationis beneficium ecclesiasticum obtinet, habitum et tonsuram clericales secundum canonicas sanctiones gerere, et ab omnibus negotiis atque exercitiis ordini clericali non convenientibus, seu aliter de jure prohibitis omnino abstinere, horasque canonicas persolvere, ac in studia literarum incumbere, et alia, quae personae suae, et ordini, ac beneficio, quod obtinet, conveniunt, agere teneatur: quod si quis ab ordinario monitus, in hujusmodi abusibus perseveraverit; is per quaecunque juris remedia, etiam usque ad beneficiorum privationem inclusive, se corrigere atque emendare cogatur: et si in sacris ordinibus constitutus fuerit, etiam si beneficium non obtineat, per eadem juris remedia ad praedictorum observationem nihilominus compellatur; qui vero in minoribus tantum ordinibus constituti sunt, ab illicitis, et sibi prohibitis exercitiis abstineant; alioqui privilegiis clericalibus, juxta canonicas sanctiones, priventur.

Decretum VI. De ecclesiasticorum ordinum collatione, et examinatione ordinandorum.

Et si post divini verbi praedicationem nihil magis episcopo injunctum est, quam diligens et accurata in manuum impositione animadversio, praecipiente apostolo: "Nemini cito manum imposueris:" tamen, quia non ea diligentia, quae tantae rei convenit, adhiberi solet, ex quo ordinis ecclesiastici contemptus, et magna divini cultus diminutio oritur; eadem hac synodo approbante, statuimus, ut omnes et singuli locorum ordinarii nullum laborem in ordinum ecclesiasticorum collatione recusent; sed per se ipsos, si legitime impediti non fuerint, alioqui per alios catholicos episcopos, cum omni studio et charitate hoc munus exercentes, statutis a jure temporibus, qui ex suis dioecesanis voluerint, et idonei cogniti fuerint, eos ordinibus initient; neminem vero ad alterius dioecesis episcopum, nisi ex causa necessitatis bene per eos explo-

explorata, ordinandum dimittant, idque postquam eum diligenter examinaverint, atque idoneum esse cognoverint. Non putent autem episcopi se muneri suo satisfecisse, si eorum, qui ordinandi sunt, examinatione ad alios rejecta, manus tantum ipsi imposuerint; ita enim plerumque fit, ut qui inutiles et indigni sunt, eos ab aliis temere, quos ea cura non admodum tangit, dignos judicatos, sacris ordinibus praeter conscientiam insigniant: quapropter omnes et singulos episcopos in Domino hortamur, ac moneamus, eisque mandamus, ut ipsimet hoc munus examinandi omni studio et diligentia exerceant. Si vero, quia multi ob dioecesium amplitudinem ordinandi sint, aliorum auxilio indigeant; tum eorum opera utantur, quos pios et doctos noverint, et quorum diligentiae confidant. Neque vero ob id archidiaconos, aliosve, ad quos hoc munus pertinet, excludimus; imo vero eos assistere episcopis, eisque adjutores esse volumus.

In examinatione autem eorum, qui ordinandi sint, hoc praecipue attendi debet; ne qua ii sint haeresi infecti; ut sint legitimis natalibus orti, et in aetate a sacris canonibus requisita constituti; omnique defectu careant, propter quem jure ab ordinibus repellantur; sintque vitae ac morum honestate et probitate commendabiles, ac literarum scientia pro cuiusque ordinis ratione praediti. Est etiam diligenter animadvertendum, ne simulato, aut minus sufficienti quisque titulo promoveatur, qui postea, in ordinis clericalis dedecus, aut mendicare, aut, quod maxime nefarium est, sacrosanctum missae sacrificium quasi venale facere cogatur. Admonendi autem omnes et hortandi inprimis erunt, ne ad ordines suscipiendos accedant proprii commodi gratia, nec quaerentes, quae sua sunt, sed tantum, quae Jesu Christi.

Ut autem haec omnia accuratius fiant, qui promovendi erunt, maxime ad sacros ordines, multo ante ordinationis tempus suum desiderium episcopo significabunt, ut is de eorum statu et conditione commode inquirere et cognoscere possit; ac demum feria quinta, diem ordinationis proxime praecedente, se praesentent, ac dent nomina; eodemque et sequentibus diebus hora statuta diligenter examinentur. Afferant autem omnes de iis, quae dicta sunt, certa, ac fide digna testimonia non modo suorum parochorum, sed etiam praeceptorum, aliorumque proborum hominum, qui ipsos bene noverint. Et, ut ab omni peccatorum labe purgati, et ea, qua convenit, devotione ad sacros ordines suscipiendos accedant; peccata sua idoneo sacerdoti ante confiteantur, qui eorum vitae conditionem sedulo scrutatus, intelligat, an forte aliqua irregularitate, aut alio quopiam impedimento teneantur, ut expediat eos ab ordinibus vel omnino abstinere, vel quoad hujusmodi impedimentum tollatur: sumantque etiam die ordinationis sanctissimum eucharistiae sacramentum.

Licet autem in minoribus ordinibus tam exacta cura non requiratur; nihilominus et in his, pro gradu et ratione ordinis suscipiendi, eorum omnium, quae superius dicta sunt, habenda est.

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Decretum VII. De ecclesiasticorum beneficiorum provisione.

Cum ecclesiastica beneficia dignis tantum et idoneis personis conferenda sint, quae et velint et possint officium, propter quod beneficium datur, exequi; id quod docet exemplum apostolorum, qui cum diaconos septem electuri essent, convocata discipulorum multitudine, dixerunt: "Considerate, fratres, ex vobis viros boni testimonii septem, plenos Spiritu Sancto, et sapientia, quos constituamus super hoc opus:" idcirco omnes episcopos, ad quos id spectat, admonitos etiam atque etiam volumus, ut, omni humano affectu rationeque posthabita, eis, quos maxime idoneos, atque optimos invenire poterint, ecclesiastica munera, ea inprimis, quae aliorum curam habent annexam, conferant atque committant, quaerentes, non quae sua sunt, aut consanguineorum, caeterorumve ad ipsos secundum carnem quovismodo pertinentium, sed quae Jesu Christi.

Cumque illud apostoli, "Nemini cito manum imposueris," non tam ecclesiasticorum ordinum collationem, quam ministrorum institutionem respiciat; episcopi nemini ecclesiastica beneficia, maxime curam animarum habentia, nisi prius diligenti inquisitione et examinatione habita, committant: in qua eadem et multo quidem magis spectari debent, quae in ordinibus conferendis spectanda esse diximus; sana doctrina, aetas matura, item morum gravitas, et literarum scientia: praeterea, an, qui praeficiendus est, in iis saltem ordinibus, qui beneficii sibi committendi muneri conveniunt, juxta canonicas sanctiones, vel ecclesiarum statuta, seu beneficiorum foundationem sit constitutus; et an ambitione, avaritiave, aut alio humano affectu ad divina ministeria suscipienda accedat. Habeat autem unusquisque bonum testimonium hominum fide dignorum, cum quibus diutius versatus fuerit; et ab episcopo officii, et oneris sibi impositi diligenter admo- neatur.

Cum vero ad beneficium, quod personalem residentiam postulet, aliquis assumendus est; perquirat episcopus, an is talis sit, qui velit et possit in eo residere: nam si aliud beneficium incompatible jam obtineat, sive quid aliud sit, quod ejus residentiam impediatur; eum ne admittat: quodsi nihil tale obstat; tamen, antequam eum beneficio praeficiat, promissionem ab eo de personaliter residendo, etiam jurejurando recipiat, apposita poena amissionis beneficii, si secus fecerit, incurrenda; quam promissionem et juramentum in vicariorum provisionibus tantum recipi debere, juxta provinciales constitutiones declaramus.

Episcopis etiam curandum erit, ut a praefectis universitatum et collegiorum scripta habeant nomina eorum, qui moribus et doctrina ad beneficia obtinenda idonei sint; ut, si quod beneficium vacaverit, sciant, quibus id statim conferre possint. Eos etiam omnem diligentiam adhibere oportebit pervestigandis hominibus doctis et piis, qui sibi in ecclesiarum suarum regimine adjumento futuri sint.

9 S

Quoniam

Quoniam autem valde periculosa est diutina ecclesiarum vacatio; omnes episcopos in Domino hortamur ac monemus, ut beneficiis vacantibus, quorum collatio ad eos pertineat, etiam non expectato tempore a sacris canonibus praefinito, quam citissime possint, de idoneis rectoribus et pastoribus provideant; durante vero earum vacatione, procurent, ut ita gubernentur, ne quid detrimenti ipsae, et plebes, si quas habent sibi commissas, patiantur.

Quae vero de episcopis supra diximus, eadem ad alios omnes, quicumque non solum conferendi libere, sed eligendi, instituendi, seu quomodolibet de beneficiis ecclesiasticis disponendi jus habent, dicenda erunt; poenis canonicis contra eos, qui indignos ad beneficia promoverint, innovatis.

Decretum VIII. Ne concessionem juris praesentandi, seu advocationum fiant, neve in quempiam facultates disponendi de beneficiis vacaturis contra sacrorum canonum dispositionem transferantur.

Cum in fraudem statuti Lateranensis concilii de beneficiorum non vacantium dispositionibus, seu promissionibus nemini faciendis, multi in alios jus praesentandi, seu de hujusmodi beneficiis disponendi potestatem transferant; ut hic abusus, qui hic frequens est, et ex quo multa mala oriri comperimus, tollatur, cum praesentis synodi approbatione omnes juris praesentandi seu eligendi donationes, seu advocationum concessionem ad beneficia vacatura, vel ea conferendi, seu quomodolibet de illis disponendi facultates per quoscunque, quavis auctoritate vel dignitate fungentes, in posterum contra sacrorum canonum instituta fieri prohibemus; et si quae fiant, eas irritas et inanes esse decernimus. Et si quis ecclesiastici ordinis jura et facultates ejusmodi, ut praefertur, in alium transfulerit; tum jure de hujusmodi beneficiis disponendi pro ea et altera vice sit eo ipso privatus, eorumque dispositio et ordinatio ad superiorem, qui in hoc non deliquerit, devolvatur. Quicumque vero ad aliquod beneficium vigore praedictarum concessionum, seu facultatum se per quemcunque praesentari, vel alio modo sibi provideri permiserit, seu consenserit, vel quomodolibet id obtinuerit; non solum eo sic obtento sit ipso jure privatus, sed ad omnia beneficia ecclesiastica obtinenda per quinquennium inhabilis fiat. Praeterea omnibus locorum ordinariis inhibemus, ne quem vigore hujusmodi concessionum sibi praesentatum vel electum in dictis beneficiis instituunt seu confirment, sed eum, tanquam ambitiosum, et sacrarum legum contemptorem, repellant; volentes omnino, ut praedictum Lateranensis concilii statutum ab omnibus observetur; nec ei, sub poenis tam quoad actus nullitatem, quam quoad personas contra id delinquentes, superius annotatis, directe vel indirecte, ullo modo vel praetextu contraveniatur.

Decretum IX. De simonia.

Cum detestabile simoniace pravitate scelus, quod ex avaritia, quae est idolorum servitus, et

omnium malorum radix, oritur, tam divinae scripturae, quam sacrorum canonum auctoritas vehementer execretur et damnet; ut pestiferum hoc vitium, quod proximis temporibus maxime hic viguit, tollatur, praesenti hoc decreto omnem pecuniae dationem, fructuum etiam minimae partis donationem, praediorum ad firmam seu affictum concessionem, omnem denique pactionem, promissionem, et conventionem in cujuslibet beneficii ecclesiastici adeptione, vel circa eam quovismodo interpositam, rejicimus atque damnamus; cum ecclesiastica beneficia gratis, libere, et sine ulla conditione vel sorde dari et recipi debeant. Praesentationes vero, electiones, postulationes, institutiones, confirmationes, collationes, et cujuslibet generis beneficiorum ecclesiasticorum dispositiones, in quibus praedicta, vel unum aliquod ex praedictis directe, seu indirecte, non solum per eos, ad quos de ipsis beneficiis disponere pertineat, sed etiam per eorum familiares, et quosvis alios intercessores et mediatores interposita fuerint, nullam prorsus vim habere decernimus; ita ut non modo in ejusmodi adeptionibus nullum jus quisquam acquirat, verum etiam, si quos inde fructus perceperit, eos omnes restituere teneatur; sitque eo facto ad omnia ecclesiastica beneficia in perpetuum inhabilis.

Personae autem ecclesiasticae, quae aliquo modo ex praedictis in disponendo de beneficiis ecclesiasticis deliquerint, quacunque dignitate fungantur, sint eo ipso infames, et omni juris patronatus, seu qualibet alia de beneficiis hujusmodi disponendi facultate privati; atque haec ipsa immediate ad superiorem, quae in praedictis non peccaverit, libere devolvantur. Laici vero patroni, qui propter aliquod commodum seu emolumentum ex iis, quae infra scripta juramenti forma exprimuntur, quenquam praesentaverint, in sententiam excommunicationis, et in alias ecclesiasticas poenas incurrant. Qui autem in his quocunque modo intercessores seu mediatores fuerint, ii sint eo ipso ad omnes actus canonicos inhabiles; et, si quid acceperint, ad restitutionem ejus alicui loco pio applicandi per sententias ecclesiasticas et alia juris remedia compellantur.

Praeterea omnibus locorum ordinariis mandamus, ut etiam, juxta provincialis concilii statutum, ab eo, qui praesentatus fuerit, juramentum secundum formam infra scriptam recipiant. Itemque felix recordationis Pauli papae II. constitutionem, quae incipit, "Cum detestabile," et quascunque alias, tam generales, quam hujus regni speciales, ecclesiasticas leges contra simoniacos, non solum quoad beneficiorum provisiones, ut praefertur, sed etiam quoad ordinem, et aliorum sacramentorum administrationem pure et sine aliqua labe faciendam, latas, innovamus, atque, ut hae inviolabiliter observentur, praecipimus. Juramenti autem per praesentatum praestandi forma talis est: "Ego N. praesentatus ad beneficium de N. juro ad haec sacrosancta Dei evangelia, per me corporaliter tacta, quod propter praedictum beneficium obtinendum, aut praesentationem ad idem habendum aut acquirendum, neque ego, neque alia

alia persona vice et nomine meo, nec de consensu aut scientia mea, patrono, seu alii cuiusque aliquid praemissorum nomine aut intuitu promissimus, aut dedimus, nec quidquam ejus rei gratia permutavimus, compensavimus, aut prius datum confirmavimus, apudve quendam deposuimus; seu quidquam mutuavimus, seu elocavimus, priusve mutuatum, commodatum, depositum, aut elocatum, aut quocunque modo debitum remisimus, seu relaxavimus; nec de sanctuario, gleba, domibus, terris, praediis, tenementis, redditibus praedictae ecclesiae, fructibusve, decimis, aut oblationibus ejusdem praeteritis, praesentibus, aut futuris, donationem, remissionem, locationemve promissimus, fecimus, aut inivimus, seu aliquis nostrum de mandato, scientia, aut consensu meo promissit, fecit, aut inivit: ita me Deus adjuvet, et haec sancta Dei evangelia.

Decretum X. De rebus ecclesiae non alienandis, et bonorum inventario consiciendo, et officiis ecclesiasticis non locandis.

Ecclesiarum indemnitatibus in posterum omnino prospicere cupientes, hac eadem synodo approbante statuimus, constitutionem felicis recordationis Pauli papae II. de rebus ecclesiae non alienandis, quae incipit, "Ambitiose," sub poenis in ea contentis observari debere; quibuscunque aliis, tam generalibus, quam hujus regni particularibus, ecclesiasticis provisionibus super eadem re in suo nihilominus robore permanfuris.

Itemque archiepiscopis, episcopis, et omnibus piorum locorum gubernatoribus, seu administratoribus, et aliis quibuscunque personis ecclesiasticis, ecclesiastica beneficia, quocunque nomine nuncupentur, obtinentibus, mandamus, ut infra sex mensium spatium, a praesentium publicatione computandorum, inventarium omnium bonorum mobilium et immobilium, jurium, actionum, ac nominum, seu debitorum ad ecclesias vel pia loca, quae obtinent aut regunt, quovismodo pertinentium, cum eorum qualitatibus et confinibus, coram pluribus honestis et fide dignis testibus in forma probante conficiant; quod quidem inventarium tertio quoque anno, et quoties in eadem ecclesia, seu pio loco alius quis succedit, renovetur. Hujus autem inventarii duo fiant publica instrumenta; quorum unum in propria ecclesia, seu pio loco, alterum, si sit ecclesia metropolitana, apud capitulum; si cathedralis, apud metropolitanum; si vero aliarum inferiorum ecclesiarum, vel beneficiorum vel piorum locorum, apud episcopum perpetuo custodiatur. Metropolitanus vero, et alii locorum ordinarii in provinciarum et dioecesium suarum visitationibus, sive qui alii eorum vice visitabunt, dicta inventaria apud se habeant, et diligenter inquirant, an eorum, quae in inventario descripta sunt, aliquid desit; quod si quid deesse compererint, id recuperare, seu ad jus pristinum ecclesiarum revocare studeant, culpam, seu negligentiam cujuslibet hac in re juxta canonicas sanctiones severe puniendo; exceptis tamen semper iis, quae circa bona ecclesiasti-

ca, ante ab ecclesiis ablata, jam auctoritate apostolica statuta sunt, quibus per hoc nullo modo derogari volumus.

Praeterea constitutiones bonae memoriae Othonis et Othoboni, in hoc regno sedis apostolicae legatorum, editas, ut dignitates, vel officia, decanatus, vel archidiaconatus, sive proventus ex jurisdictionis spiritualis exercitio provenientes, nullo modo locentur, seu dentur ad firmam, innovamus, utque ab omnibus sub poenis in eis contentis observentur, praecipimus. Addimus etiam, ut reliqua beneficia ultra anni spatium sine ulla innovationis spe ad locationem, seu firmam concedere nemini liceat, praeter ordinarii consensum; quem is non ante praestabit, quam quibus personis, et ob quam causam hujusmodi concessionem fiant, diligenter cognoverit.

Decretum XI. Ut in cathedralibus certus initiatorum numerus educetur, ex quo, tanquam ex seminario, eligi possint, qui digne ecclesiis praeficiantur.

Cum magna sit hoc tempore ecclesiasticarum personarum penuria, praesertim idonearum, quae ecclesiis, seu ecclesiasticis muneribus vel praeficiantur, vel inserviant; atque huic incommodo nulla ratione magis occurri possit, quam si soboles quaedam, et tanquam seminarium ministrorum, saltem in cathedralibus ecclesiis, instituatur et conservetur; hac eadem synodo approbante statuimus et decernimus, ut singulae metropolitanae et cathedrales hujus regni ecclesiae, pro cujusque censu et facultatibus, proque dioecesis amplitudine, certum numerum puerorum alere teneantur.

In huac vero qui cooptandi erunt, annos sint minimum undecim vel duodecim nati; qui et legere sciant et scribere; et quorum indoles ac voluntas certiore spem afferat, eos sacerdotes futuros, et ecclesiasticis muneribus perpetuo inservituros.

Pauperum autem filios praecipue eligi volumus; neque tamen ditiorum excludimus, modo studium prae se ferant Deo et ecclesiae inserviendi. Hi primum grammaticam discant; post, in ipsam metropolitanam sive cathedralem ecclesiam asciti, sub cancellario ecclesiae, aut alio docto et gravi viro, qui ad hoc munus delectus sit, in ecclesiastica doctrina et disciplina erudiantur. Horum classes instituentur duae; altera provectorum aetate et literis, quos acolytos esse volumus, quibus, praeter victum et togam, quam liberalem vocant, mercedis etiam aliquid in singulos annos attribuetur; altera juniorum, quibus toga et mensa tantum dabitur. Universi autem tam prioris classis, quam posterioris tonsura et habitu clericali, eademque vivendi ratione utentur, et divinis in ecclesia officiis opportune inservient. Porro ex acolytorum classe quicumque ad aetatem legitimam pervenerint, et in moribus atque in literis profecerint, sacris ordinibus initiabuntur, et ipsi cathedrali seu metropolitanae ecclesiae, in quocunque ministerio episcopo et capitulo commodum videbitur, operam suam navabunt; atque his ut pro cujusque

jusque merito beneficium aliquod ecclesiasticum deferatur, ipse episcopus et capitulum curabit. In eorum autem locum, qui ex acolytorum classe ad ordines sacros, et majora ecclesiae munera adsciscuntur, substituendi erunt, qui ex classe inferiori moribus, aetate, ac literis proxime accedant. Ad scholam grammaticae, et alia commoda, discendi causa, admittantur alii etiam civitatis et dioecesis pueri; qui tamen sint honeste educati, et bonis moribus praediti; quibus eodem vestitu, quo caeteris, qui ab ecclesia alentur, utendum erit, atque eodem modo vivendum. Ex his autem, qui maxime idoneus erit, et ecclesiae inserviendi voluntatem praeseferet, in ejus locum sufficietur, qui ex clericorum numero desiderabitur. Et quia, ad hanc puerorum sobolem alendam, necesse est, ut quoad certa dos ex redditibus beneficiorum, quae deinceps vacaverint, huic tam pio operi in perpetuum assignandorum, seu quo alio modo erit constituta, quod brevi factum iri speramus, census aliquis annuus ad tempus provideatur, qui tam puerorum victui, quam praeceptorum stipendiis sufficere possit; statuimus, ut archiepiscopi et episcopi omnes fructuum annuorum, quos ex proventibus episcopatuum suorum percipiunt, deductis decimis, subsidiis, et feudis, quadragesimam partem cum ad ipsos pueros alendos, tum etiam ad mercedem solvendam magistris, qui eos in grammatica, et ecclesiastica doctrina et disciplina erudiant, in singulos annos pendant: quod item ab omnibus, qui praebendas, vel beneficia quaecunque ecclesiastica aut jam obtinent, aut posthac obtinebunt, fieri volumus ac jubemus; ut scilicet ex fructibus beneficiorum suorum, quae vel singula, vel plura simul, decimis, subsidiis, et feudis, ut praefertur, deductis, ad annum censum viginti librarum ascendunt, partem quadragesimam ad hos ipsos usus in ea dioecesi, in qua beneficia obtinent, quotannis persolvant: id quod eos, licet aliis multis oneribus gravatos, pro sua tamen erga Deum pietate, et in ejus ecclesiam, quae nunc ministrorum idoneorum penuria magnopere deformatur, officio et studio haud gravatim facturos esse confidimus. Praeterea statuimus, ut episcopus simul cum decano et capitulo cathedralis ecclesiae hujus puerorum scholae curam gerant; certisque hominibus negotium dent, ut hunc censum ab omnibus iis, qui solvere tenebuntur, in terminis et locis, ac sub censuris et poenis, eorundem episcopi et capituli arbitrio statuendis, exigant. Reliqua vero, quae ad hanc scholam bene ac feliciter administrandam tuendamque erunt statuenda, quae multa adhuc restant, in proxima convocatione, Deo favente, providebuntur.

Cum autem ad sanam doctrinam, et bonos mores conservandos maxime conducat, ut erudiendae juventuti magistri rectitudine fidei, honestate vitae, et eruditione commendabiles praeficiantur; idcirco statuimus, ut ne quis ulli scholae in quocunque loco magister praeficiatur, aut quomodolibet munus docendi suscipiat, nisi prius a loci ordinario diligenter examinatus ac probatus fuerit, deque iis libris admonitus, qui

in scholis tam ad eruditionem, quam ad excolendos juventutis mores legendi sunt. Qui vero huic decreto non paruerit, sententiam excommunicationis incurrat, et munere docendi ad triennium prohibeatur. Eorum autem, qui jam scholis praefecti sunt, fides, mores, et doctrina sedulo examinentur; et si tales reperti fuerint, quales in praesenti constitutione requiramus, confirmantur, et de omnibus supradictis admoneantur; sin aliter, eos amoveri, et in eorum locum alios idoneos suffici mandamus.

Decretum XII. De visitatione ecclesiarum.

Cum ecclesiarum visitatio ad vitia et abusus tollendos, ac rursus ad bonos mores inducendos, ac legum ecclesiasticarum vim et usum retinendum non solum utilis, verum etiam necessaria sit; cum praesentis synodi approbatione statuiamus, ut episcopi, et alii locorum ordinarii dioeceses, et loca sibi commissa, juxta antiquam hujus regni consuetudinem, singulis trienniis per seipso, si legitime impediti non fuerint, sin minus, per idoneos substitutos cum omni pietatis et charitatis zelo visitare non omittant.

Inprimis autem monemus omnes visitatores, ut in visitationibus ipsis secum eos tantum ducant, quorum opera necessario indigeant; et illos quidem tales, qui caeteris honestatis et probitatis exemplo esse possint; utque ad victum mediocri sumptu sint contenti, atque visitationem, quam celerrime fieri possit, expediant, nec frustra alienis expensis tempus conterant.

Hoc autem ordine visitatio instituenda erit, ut primum civitas, deinde dioecesis, nisi forte aliter aliqua exigat necessitas, visitetur. In civitate vero a cathedrali ecclesia inchoandum; deinde ad singulas collegiatas, postremo ad parochiales transeundum est; ubi non solum parochi, sed caeteri etiam, si qui in parochiis commorantur, sacerdotes et clerici evocentur. Visitandae etiam sunt scholae et bibliothecae, ac demum hospitalia diligenter perlustranda.

In visitatione episcopi verbum Dei proponent; sacramentum chrismatis, seu confirmationem conferent. Item vel ipsi per se, vel alios per eos ad eam rem delectos, in casibus sibi reservatis, poenitentia salutari imposita, beneficium absolutionis iis, qui eo indiguerint, et illud humiliter petierint, impendent; ad idque omnes paterno charitatis affectu invitabunt, atque hortabuntur.

In locis visitandis deligantur inprimis viri probi, bonae existimationis, et graves quatuor, aut quinque, pluresve, pro cleri et plebis multitudine, qui vitam ac mores tam laicorum, quam clericorum probe noverint; iique etiam jurejurando astringantur, ut libere, omnique humano affectu remoto, ea indicent; et nisi probent ea, quae deferunt, rejiciantur.

In singularum autem parochialium ecclesiarum visitatione infra scripta omnia sedulo investiganda sunt atque inspicienda; an sacramenta munde ac tuto custodiantur, suoque tempore renoventur; an rite recteque administrantur; an sanctissimum Christi corpus ad aegrotos honorifice ac devote cum luminibus, tintinnabulo, et caeteris

caeteris, quae mos est adhiberi, deferatur; an matrimonia licite et in ecclesia reverenter, proclamationibus praecedentibus, et tempore non interdicto contrahantur; an ipsi parochi habeant libros, in quibus nomina eorum, qui baptizantur, cum compatribus, itemque defunctorum, et matrimonia contrahentium describantur. Ecclesiae autem et altaria, si non sint consecrata, consecrentur; si polluta, reconcilientur: omnia in ecclesia munda, ac decentia, ac tuta sint. Coemeterium claudatur, ne bestiae ingredi possint, neve quo alio modo foedetur. Si ecclesia, chorus, campanile, sacristia, vel domus reparatione indigeat; iis mandetur, ad quos ea res pertinet, ut, quae reparanda sint, pro facultatibus ecclesiae, seu parochiae reparent atque refarciant. Praeterea inspiciendum est, an omnia suppetant, quae ad altaris ministerium, et ad officia divina sunt necessaria; calices, patinae, corporalia, vestes, libri, et reliqua; an missae, et alia divina officia non solum rite, et recte, sed etiam pie ac devote celebrentur; an sit unus saltem clericus, qui missae cum mundo ac decenti superpellicio inserviat; an libri, et scripturae antiquae, aliaque instrumenta et privilegia ecclesiae diligenter asserventur.

His omnibus accurate inspectis, quae ad ecclesiam pertinent, proximum erit, ut de ministris ecclesiae, et aliorum clericorum quaeratur. Ac primum, an rite et recte sint ordinati; an in ordinibus muneri suo convenientibus constituti. Tum de ecclesiarum, seu beneficiorum titulis cognoscendum; an aliqui se intruserint; an incompatibilia sine sufficienti dispensatione teneant; an resideant, et officio sibi commissio, tam quoad sacramenta administranda, quam quoad missas, et alia divina officia celebranda, et anniversariis persolvendis, aliisque oneribus sibi impositis satisfaciant; an ecclesias proprias, ut alienis inserviant, maxime festis diebus derelinquant; an populum salutari divini verbi cibo diligenter pascant, et pueros prima fidei rudimenta doceant; an libros ad haec, et alia, quae ad officium curati spectant, necessarios habeant. De eorum vita, moribus, habitu, conversatione, familia inquirendum; an opera vilia, et ipsis non permissa exerceant; an in tabernis, aliisve locis non convenientibus versentur; an bona ecclesiae et jura tueantur; an egentibus subveniant; an sint pacifici, et ad tollendas inimicitias atque odia diligentes.

Postremo ad disciplinam populi erit veniendum; advertendumque an in populo haeretici sint, an inconfessi, an usurarii, an concubinari, aliive, qui in peccatis vivant et inforDESCANT; an inter aliquos odia et inimicitiae intercedant; an sint, qui Quadragesimam, aliave jejunia, festa, et reliquos laudabiles ecclesiae ritus non observent. Atque in licentiis apostolica, aliave legitima auctoritate concessis comedendi carnes, ova, et lactinia tempore prohibito, sive quid aliud agendi praeter constitutiones et morem ecclesiae, inspiciendum erit, an causae expressae, et alia narrata sint vera, et an ipsius concessionis forma servata. Praeterea quaerendum, an legata pia sint, quae executioni non mandentur;

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an populus devote in ecclesia versetur, et integrum missam attente reverenterque audiat; an inter divina officia fiant deambulationes; an patresfamilias liberos et domum honeste et pie instituant et gubernent.

Si sint hospitalia, quomodo regantur; an eorum bona in pauperum usus fideliter dispensentur; an sancte et pie in eis vivatur.

Si scholae, de magistris quaerendum; quos libros interpretentur; an recte officio suo fungantur. Simulque providendum erit, ne quis, ut praesenti synodo constitutum est, ad docendum admittatur, nisi prius ab episcopo probatus fuerit; et si quis idoneus non sit, amoveatur.

De bibliothecis inquirendum, an sint in eis, vendanturve libri haeretici, aut aliter de jure prohibiti.

Si ecclesiae habeant capitula, seu collegia, animadvertatur, an, qui dignitates, et praebendas in eis obtinent, tam in divinis horis debite et devote celebrandis, quam caeteris in rebus, quae ipsis incumbunt, praestandis, muneri suo satisfaciant.

His ita perspectis et cognitis, visitator, quae recte se habebunt, laudabit; quae secus, reprehendet; eaque uti corrigantur, atque emendentur, per censuras, et alia juris remedia, si opus fuerit, curabit: monebit autem omnes, ut officium sibi commissum diligenter exequantur.

Metropolitani in suarum visitatione provinciarum ordinem a felicitis recordationis Innocentii papae IV. in constitutione, quae incipit, "Romana ecclesia," servabunt; et inter alia, de his diligenter inquirent, an episcopi resideant in suis dioecesibus; an praedicent verbum Dei; an ita vivant, ut eos deceat; quemadmodum se gerant in ordinibus, et beneficiis conferendis, deputandis confessoribus, excessibus eorum, qui suae sunt jurisdictionis, puniendis, in visitatione dioecesum, caeterisque ad officium episcopale, ac jurisdictionem, et administrationem in spiritualibus et temporalibus quomodolibet spectantibus; denique, an generales canones, et ecclesiastica hujus regni instituta observent: et si quae corrigenda erunt, quae corrigi tum possint, corrigant; sin minus, ad synodum provincialem referant; verum si quid hujusmodi erit, ad quod corrigendum ac reformandum majori auctoritate opus esse videatur, tum ad sedem apostolicam recurat.

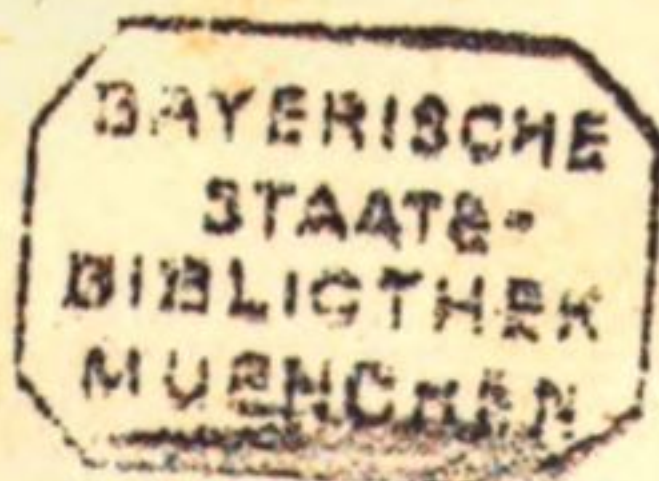
Archidiaconi partem dioecesis, curae ac fidei suae creditam, in iis, quae ad eos pertinent, secundum praescriptam formam visitent; graviora, et quae per eos emendari non possint, ad episcopos referant: operam autem dabunt, ut ea, quae in visitatione per episcopum statuta ac mandata sint, perficiantur; ac de iis, quae perfecta fuerint, aut non perfecta, simulque de causis, quae eorum executionem impediunt, episcopum statim admonebunt. Atque, ut iidem archidiaconi, qui episcoporum oculi appellantur, quod officii sui et muneris est, tam in visitationibus, quam caeteris in rebus diligenter praestent; constitutiones provinciales, ac bonae memoriae Othonis et Othoboni, sedis apostolicae in hoc regno legatorum, hac de

re pie et provide editas, cum praesentis synodi approbatione innovamus, easque omnino observari praecipimus. Praeterea constitutioni praefati Othoboni, qua praeter caetera cavetur, ne archidiaconi ob crimen manifestum a subditis pecunias accipiant, sed illud digna animadversione puniant; hoc amplius addimus, atque statuimus, ut si quis contra id facere audeat, poena dupli ejus, quod acceperit, per dioecesanum episcopum multetur; eaque pecunia in utilitatem mensae scholarium, in ecclesia cathedrali erectae vel erigendae, convertatur.

Ut autem ecclesiarum praelati officium correctionis et reformationis eorum, qui suae jurisdictioni subsunt, libere exercere possint; constitutionem felicitis recordationis Innocentii papae III. in concilio generali editam, qua statuit, ut iidem praelati suae jurisdictioni subditorum excessus, appellatione remota, vel consuetudine non obstante, corrigant et reforment, innovamus, et ab omnibus hic observari praecipimus. Datum Lambethi prope Londinum, Wintoniensis dioecesis, M.D.LVI. 4. idus Febr.

FINIS VOLUMINIS QUARTI.

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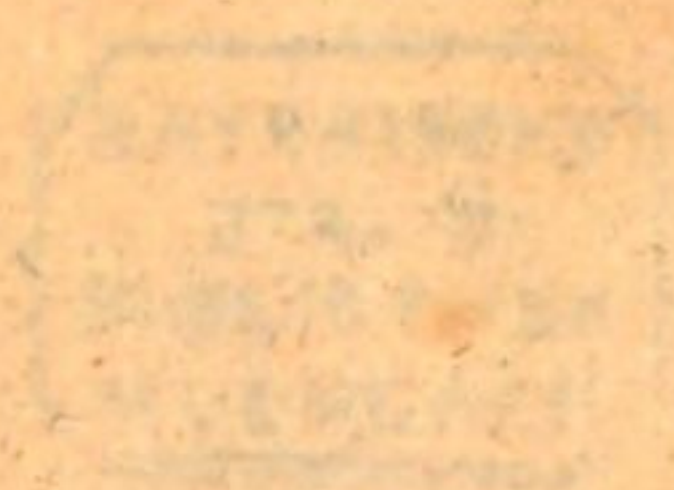
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